

National Collegiate Athletic Association

1979 Convention

Proceedings



73rd Annual Convention

January 8-10, 1979

San Francisco, California

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Proceedings

of the

73rd Annual Convention

of the

National Collegiate Athletic Association

Hotel St. Francis

San Francisco, California

January 8-10, 1979



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

U.S. Highway 50 and Nall Avenue
P.O. Box 1906
Shawnee Mission, Kansas 66222
913/384-3220

May 1979

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1978 NCAA Administrative Organization

NCAA Officers

President

J. NEILS THOMPSON
Chairman, Intercollegiate Athletics for Men
 University of Texas
 P.O. Box 7399
 Austin, Texas 78712

Secretary-Treasurer

EDGAR A. SHERMAN
Director of Athletics
 Muskingum College
 New Concord, Ohio 43762

Executive Director

WALTER BYERS
 U.S. Highway 50 and Nall Avenue
 P.O. Box 1906
 Shawnee Mission, Kansas 66222

NCAA Council

The Council is elected by the annual Convention of the Association. The NCAA president and secretary-treasurer are ex officio members and serve as chairman and secretary, respectively. Eight members of the Council are the eight district vice-presidents, each of whom is elected for two years and may be immediately reelected for one additional term. Eight vice-presidents at large are elected for terms of three years and may not be reelected until three years have elapsed.

Term Expires

- District 1 Vice-President*—John L. Toner Jan. 1980
 Director of Athletics
 University of Connecticut
 U-78
 Storrs, Connecticut 06268
- District 2 Vice-President*—Raymond J. Whispell Jan. 1979
 Professor of Physical Education; Director of Athletics
 Muhlenberg College
 Allentown, Pennsylvania 18104
- District 3 Vice-President*—Charley Scott Jan. 1980*
 Associate Academic Vice-President
 University of Alabama
 P.O. Box 1933
 University, Alabama 35486
- District 4 Vice-President*—Fred Picard Jan. 1981*
 Professor of Economics
 Ohio University
 Athens, Ohio 45701
- District 5 Vice-President*—James Frank Jan. 1980
 President
 Lincoln University
 Jefferson City, Missouri 65101

*Not eligible for reelection

1978 NCAA Administrative Organization

Council (Continued)

- District 6 Vice-President*—Kenneth W. Herrick Jan. 1981*
 Professor of Insurance; M.J. Neeley School of Business
 Texas Christian University
 Fort Worth, Texas 76129
- District 7 Vice-President*—Joseph R. Geraud Jan. 1980*
 Vice-President, Student Affairs
 University of Wyoming, Box 3066
 Laramie, Wyoming 82071
- District 8 Vice-President*—Edward S. Betz Jan. 1979
 Professor of Communication Arts
 University of the Pacific
 Stockton, California 95207
- Vice-President at Large*—Sherwood O. Berg Jan. 1980*
 President
 South Dakota State University
 Brookings, South Dakota 57007
- Vice-President at Large*—John Chellman Jan. 1981*
 Dean, School of Health Services
 Indiana University of Pennsylvania
 Indiana, Pennsylvania 15705
- Vice-President at Large*—Cecil N. Coleman Jan. 1979
 Director of Athletics
 Assembly Hall #112
 University of Illinois
 Champaign, Illinois 61820
- Vice-President at Large*—Chalmer G. Hixson Jan. 1981*
 Director, Division of Health, Athletics & Physical Education
 Wayne State University
 Detroit, Michigan 48202
- Vice-President at Large*—Olav B. Kollevoll Jan. 1979
 Director of Athletics
 Lafayette College
 Easton, Pennsylvania 18042
- Vice-President at Large*—Edward W. Malan Jan. 1981*
 Faculty Athletic Representative
 Pomona-Pitzer Colleges, 6th Street and College Way
 Claremont, California 91711
- Vice-President at Large*—Arthur J. McAfee Jr. Jan. 1980*
 Director of Athletics
 Morehouse College, 223 Chestnut Street
 Atlanta, Georgia 30314
- Vice-President at Large*—James P. Sullivan Jan. 1980*
 Director of Athletics
 Boston State College, 625 Huntington Avenue
 Boston, Massachusetts 02115

*Not eligible for reelection

1978 Division Steering Committees

The Divisions I, II and III Steering Committees are subcommittees of the Council, as established in Constitution 5-1-(a)-(5). The 16 vice-presidents of the Association, who comprise the Council, represent their respective divisions as members of the division steering committees. For purposes of meetings conducted separately from regular meetings of the Council, each steering committee appoints additional members to serve on the committee, subject to approval of the Council and limited to a number not exceeding the number of Council members on the steering committee.

Division I Steering Committee

Chairman—Charley Scott

- *Edward S. Betz, Professor of Communication Arts
University of the Pacific, Stockton, California 95207
- Francis W. Bonner, Vice-President and Provost
Furman University, Greenville, South Carolina 29613
- *Cecil N. Coleman, Director of Athletics
University of Illinois, Champaign, Illinois 61820
- Eugene F. Corrigan, Director of Athletics
University of Virginia, Charlottesville, Virginia 22903
- *Joseph R. Geraud, Vice-President for Student Affairs
University of Wyoming, Laramie, Wyoming 82071
- *Kenneth W. Herrick, Professor of Insurance
Texas Christian University, Fort Worth, Texas 76129
- Douglas S. Hobbs, Political Science Department
University of California, Los Angeles, California 90024
- John W. Kaiser, Director of Athletics
St. John's University, Jamaica, New York 11423
- *Olav B. Kollevoll, Director of Athletics
Lafayette College, Easton, Pennsylvania 18042
- Henry T. Lowe, Professor of Law
University of Missouri, Columbia, Missouri 65201
- Casimir J. Myslinski, Director of Athletics
University of Pittsburgh, Pittsburgh, Pennsylvania 15213
- Joseph M. Pettit, President
Georgia Institute of Technology, Atlanta, Georgia 30332
- *Fred Picard, Professor of Economics
Ohio University, Athens, Ohio 45701
- *Charley Scott, Associate Academic Vice-President
University of Alabama, University, Alabama 35486
- Jesse N. Stone Jr., President
Southern University, Baton Rouge, Louisiana 70813
- *John L. Toner, Director of Athletics
University of Connecticut, Storrs, Connecticut 06268

*Members of NCAA Council

Division II Steering Committee

Chairman—James Frank

- *Sherwood O. Berg, President
South Dakota State University, Brookings, South Dakota 57007
- Robert C. Brown, Head, Department of Mathematics
Southeastern Louisiana University, Hammond, Louisiana 70402
- *John Chellman, Dean, School of Health Services
Indiana University of Pennsylvania, Indiana, Pennsylvania 15705
- *James Frank, President
Lincoln University, Jefferson City, Missouri 65101
- *Chalmer G. Hixson, Director, Division of Health, Athletics & Physical Education
Wayne State University, Detroit, Michigan 48202
- John A. Hogan, Associate Professor of English
Colorado School of Mines, Golden, Colorado 80401
- Andrew Laska, Director of Athletics
Assumption College, Worcester, Massachusetts 01609
- Thomas J. Martin, Chairman, Department of Physical Education
Roanoke College, Salem, Virginia 24153

Division III Steering Committee

Chairman—Raymond J. Whispell

- Gordon M. Brewer, Director of Athletics
Hope College, Holland, Michigan 49423
- *Edward W. Malan, Faculty Athletic Representative
Pomona-Pitzer Colleges, Claremont, California 91711
- *Arthur J. McAfee Jr., Director of Athletics
Morehouse College, Atlanta, Georgia 30314
- Robert F. Riedel, Director of Athletics
State University College, Geneseo, New York 14454
- LeRoy Seils, Director of Athletics
Denison University, Granville, Ohio 43023
- *James P. Sullivan, Director of Athletics
Boston State College, Boston, Massachusetts 02115
- Kenneth J. Weller, President
Central College, Pella, Iowa 50219
- *Raymond J. Whispell, Director of Athletics
Muhlenberg College, Allentown, Pennsylvania 18104

*Members of NCAA Council.

NCAA Executive Committee

The NCAA president and secretary-treasurer shall be ex officio members of the Executive Committee. The remaining eight members of the committee are elected by the Council for a period of one year. At least one new member shall be elected each year. Date of first election is shown in parentheses.

Col. Philip J. Erdle (Jan. 1978)
Vice-Dean of the Faculty
U.S. Air Force Academy
USAF Academy, Colorado 80840

J. William Grice (Jan. 1977)
Chairman, Department of Physical Education;
Director of Athletics
Case Western Reserve University
10900 Euclid Avenue
Cleveland, Ohio 44106

Robert C. James (Jan. 1976)
Commissioner
Atlantic Coast Conference
P.O. Box 6271
Greensboro, North Carolina 27405

J. D. Morgan (Jan. 1977)
Director of Athletics
University of California, Los Angeles
405 Hilgard Avenue
Los Angeles, California 90024

Seaver Peters (Jan. 1977)
Director of Athletics
Dartmouth College
Hanover, New Hampshire 03755

Earl M. Ramer (Jan. 1973)
Professor of Education; Chairman, Athletic Board
13 Henson Hall
University of Tennessee
Knoxville, Tennessee 37916

Joe L. Singleton (Jan. 1977)
Director of Athletics
University of California, Davis
Hickey Gymnasium
Davis, California 95616

Edward S. Steitz (Jan. 1974)
Professor; Director of Athletics
Springfield College
Springfield, Massachusetts 01109

NCAA National Office

General Administration

Walter Byers, *Executive Director*
Louis J. Spry, *Controller*
James H. Wilkinson, *Assistant Executive Director*
Marjorie Fieber, *Business Manager*
Linda Hutchings, *Assistant Business Manager*

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C. Dennis Cryder, *Director of Productions*
Jim Van Valkenburg, *Director of Statistics*
Steve Boda, *Associate Director of Statistics*
Michael F. Bowyer, *Administrative Assistant*
David Pickle, *Editor, NCAA News*
James W. Shaffer, *Asst. Dir. of Public Relations and Promotion*
Shirley Whitacre, *Administrative Assistant*
Jules L. Winn, *Administrative Assistant*
James F. Wright, *Administrative Assistant*
Ron Schwartz, *Director, Television News Service*
888 Seventh Avenue, New York, N.Y. 10019

Enforcement

William B. Hunt, *Assistant Executive Director*
S. David Berst, *Director of Enforcement*
Hale McMenamin, *Assistant Director of Enforcement*
Stephen R. Morgan, *Executive Assistant*
Ronald J. Stratten, *Assistant Director of Enforcement*
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David A. Didion, *Enforcement Representative*
Mel D. Dodd, *Enforcement Representative*
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Michael C. Mesh, *Enforcement Representative*
Robert J. Minnix, *Enforcement Representative*
Fannie B. Vaughan, *Administrative Assistant*
Thomas E. Yeager, *Enforcement Representative*

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Jerry A. Miles, *Director of Events*
Richard D. Hunter, *Assistant Director of Events*
Ralph McFillen, *Assistant Director of Events*
Dennis L. Poppe, *Assistant Director of Events*

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Wallace I. Renfro, *Director of Publishing*
Maxine R. Alejos, *Circulation Manager*
Lavonne G. Anderson, *Publishing Production Manager*
Patricia E. Bork, *Publications Editor*
Dale M. Meggas, *Research Assistant*
David P. Seifert, *Publications Editor*

73rd ANNUAL CONVENTION DELEGATES AND VISITORS

Active Member Institutions

District 1

American International College: Milton J. Piepul
 Amherst College: Peter Gooding
 Assumption College: Andrew Laska
 Babson College: Robert E. Hartwell
 Bentley College: Elwood N. Shields
 Boston College: William J. Flynn, Rev. Joseph L. Shea
 Boston State College: James P. Sullivan
 Boston University: Richard G. Fecteau, John B. Simpson
 Brandeis University: Nicholas Rodis
 Bridgeport, University of: Francis W. Poisson
 Bridgewater State College: Harry A. Lehmann
 Brown University: John C. Parry, Richard C. Sardella
 Bryant College: Leon A. Drury
 Central Connecticut State College: William M. Moore
 Clark University: A. Dixie Walker
 Connecticut, University of: John L. Toner
 Dartmouth College: Seaver Peters
 Fairfield University: C. Donald Cook
 Hartford, University of: Gordon F. McCullough, Stephen Trachtenberg
 Harvard University: Eric Cutler, John P. Reardon Jr.
 Holy Cross College: Ronald S. Perry
 Keene State College: Edward R. MacKay
 Lowell, University of: James Cizek
 Maine, University of, Orono: Harold S. Westerman
 Massachusetts, University of: David Bischoff, Robert W. O'Connell
 Massachusetts Institute of Technology: James W. Mar, Ross H. Smith
 Merrimack College: Frank T. Monahan
 New England College: George R. Hamilton
 New Hampshire, University of: Maynard C. Heckel, C. Robert Keesey, Andrew T. Mooradian
 New Haven, University of: Joseph A. Machnik
 Northeastern University: Robert Lyons, Joseph P. Zabitski
 Norwich University: Barry W. Mynter
 Plymouth State College: Richard A. Hutchins
 Providence College: Dennis C. Kane
 Rhode Island, University of: Ernie Calverley, Maurice Zarchen
 Rhode Island College: William M. Baird, David E. Sweet
 St. Anselm's College: Edward Cannon, Rev. Brendan P. Donnelly
 St. Michael's College: Edward P. Markey
 Salem State College: William A. Gillis
 Southern Connecticut State College: Raymond W. DeFrancesco, Lawrence E. Fitzgerald

Springfield College: Edward S. Steitz
 Stonehill College: Thomas Folliard
 Trinity College: Donald G. Miller
 Tufts University: Rocco J. Carzo
 Vermont, University of: Denis E. Lambert, Keith M. Miser
 Wesleyan University: Donald M. Russell
 Western Connecticut State College: John A. Barrett Jr.
 Westfield State College: F. Paul Bogan
 Worcester Polytechnic Institute: George W. Flood
 Worcester State College: Robert A. Devlin
 Yale University: James G. Holgate

District 2

Adelphi University: Ronald Bazil
 American University: Robert H. Frailey
 Bernard M. Baruch College: William Eng
 Binghamton, State University of New York: Robert D. Kreidler
 Bloomsburg State College: H. Cecil Turberville Jr.
 Brockport, State University College: Charles L. Crawford, Patrick B. Smith
 Brooklyn College: Joseph A. Margolis
 Bucknell University: Bruce A. Corrie, Robert A. Latour
 Buffalo, State University College: Fred J. Hartrick
 Buffalo, State University of New York: John Medige, Edwin D. Muto
 C. W. Post College: Robert F. Greene
 California State College: James L. McCullough
 Canisius College: Daniel P. Starr
 Carnegie-Mellon University: James E. Banner
 Catholic University: J. Brian McCall
 Cheyney State College: Edwin W. Lawrence
 Clarion State College: Frank Lignelli
 Clarkson College of Technology: F. William Fiesinger
 Colgate University: Robert Deming, Fred Dunlap
 Columbia University: Paul Fernandes, Alvin R. Paul
 Cornell University: Dick Schultz
 Cortland, State University College: Roger I. Robinson
 Delaware, University of: Arnold M. Clark, Scotty Duncan, David M. Nelson
 Delaware State College: W. Richard Wynder
 Delaware Valley College: Alvin J. Wilson
 Dickinson College: Wilbur J. Gobrecht
 Drew University: John A. Reeves
 Drexel University: John Semanik
 Duquesne University: John M. Manning
 East Stroudsburg State University: Clyde H. Witman
 Edinboro State College: Allan W. Hall
 Elizabethtown College: John M. Tully
 Elmira College: Paul Brand
 Fairleigh Dickinson University, Madison: Robert T. Shields
 Fairleigh Dickinson University, Teaneck: Walter Marusyn, Robert V. Metz, Arthur Shriberg

Fordham University: Peter A. Carlesimo, Thomas Iannacone, Edward J. Manetta Jr., David Rice
 Franklin and Marshall College: William A. Marshall
 Fredonia, State University College: Everett J. Phillips
 Gannon College: Howard Elwell
 Geneseo, State University College: Daniel T. Mullin, Robert F. Riedel
 George Mason University: Raymond H. Spuhler
 George Washington University: Edward A. Caress, Robert K. Faris
 Georgetown University: Jesse Mann, Francis X. Rienzo, William Stott
 Gettysburg College: Eugene M. Haas, Frank B. Williams
 Glassboro State College: Michael Briglia, Maurice G. Verbeke
 Hamilton College: Eugene M. Long
 Hampton Institute: Ollie Bowman, Walter L. Lovett
 Hartwick College: Thomas H. Greene
 Haverford College: Dana W. Swan
 Hobart College: William C. Stiles
 Hofstra University: Robert M. Getchell, William Leefe
 Howard University: Henry Jones, Leo F. Miles, R. Diane Wyatt
 Indiana University (Pa.): John Chellman, Herman L. Sledzik
 Iona College: P. James McDermott
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 John Jay College of Criminal Justice: Wallace M. Pina
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 Lafayette College: H. C. Kissiah, Olav B. Kollevoll
 LaSalle College: William D. Bradshaw, Thomas N. McCarthy
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 LeMoyne College: Thomas J. Niland Jr.
 Lock Haven State College: Charles A. Eberle
 Long Island University: Jerry Donner
 Loyola College: Thomas O'Connor
 Manhattan College: Kenneth A. Norton
 Maryland, University of, Eastern Shore: Joel C. Mack, Nelson E. Townsend
 Monmouth College: William T. Boylan
 Montclair State College: William P. Dioguardi
 Moravian College: Rocco J. Calvo
 Muhlenberg College: Frank P. Marino, Raymond J. Whispell
 New Jersey Institute of Technology: Robert F. Swanson
 New York, City College of: Richard Zerneck
 New York Institute of Technology: Sam Stern
 New York University: Daniel E. Quilty
 Niagara University: Rev. George F. Mullen
 Oswego, State University College: John L. Spring
 Pace University: Peter X. Finnerty
 Pennsylvania, University of: Charles R. Scott
 Pennsylvania State University: John J. Coyle, Richard J. Lucas, Joseph V. Paterno, Robert J. Scannell, James I. Tarman
 Philadelphia College of Textiles and Science: Harry Pure
 Pittsburgh, University of: John O. Bolvin, Walter P. Cummins, Casimir J. Myslinski
 Pratt Institute: Wayne Sunderland Jr.

Princeton University: Royce N. Flippin Jr., Samuel C. Howell
 Rensselaer Polytechnic Institute: Robert F. Ducatte, Alan H. Good-year
 Robert Morris College: Albert G. Applin, C. Robert Miller, Jon A. Shank
 Rochester, University of: David R. Ocorr
 Rutgers University, New Brunswick: Frederick E. Gruninger, Malcolm G. McLaren
 Rutgers University, Newark: Raphael J. Caprio, Steven Senko, Gene A. Vincenti
 St. Bonaventure University: Lawrence J. Weise
 St. Francis College (N.Y.): Carlo Tramontozzi
 St. John Fisher College: Phillip Kahler
 St. John's University: John W. Kaiser
 St. Lawrence University: Robert J. Sheldon
 St. Peter's College: John B. Wilson
 Salisbury State College: Nelson Butler, Norman C. Crawford
 Scranton, University of: Gary N. Wodder
 Seton Hall University: Richard P. Adinaro, Melvin Knight
 Shippensburg State College: John E. Hubley
 Slippery Rock State College: Robert E. Raymond
 Stony Brook, State University College: John W. Ramsey
 Susquehanna University: William Moll
 Swarthmore College: David B. Smoyer
 Syracuse University: David H. Bennett, Jake Crouthamel, Richard Gibney
 Temple University: Ernest C. Casale
 Thiel College: Charles Manes
 Towson State University: Thomas O. Meinhardt
 U.S. Merchant Marine Academy: Peter Carmichael, William T. Lai
 U.S. Military Academy: Raymond P. Murphy, Brig. Gen. Frederick A. Smith Jr.
 U.S. Naval Academy: Capt. J. O. Coppedge
 Union College: Richard S. Sakala
 Ursinus College: Robert R. Davidson
 Utica College: Eric H. Huggins
 Villanova University: Ted Aceto
 West Chester State College: Robert W. Reese
 West Virginia University: Leland E. Byrd, William J. Wilhelm
 Widener College: George A. Hansell
 William Paterson College: Robert F. Callahan, Arthur Eason

District 3

Alabama, University of: Sam D. Bailey, Jeff Coleman, Charley Scott
 Alabama A&M University: Joseph Henderson, James H. Hicks
 Alabama State University: Tommy L. Frederick
 Albany State College: Wilburn A. Campbell Jr.
 Appalachian State University: C. H. Gilstrap, James F. Jones
 Auburn University: Wilford S. Bailey, Lee R. Hayley, Harry M. Philpott
 Augusta College: George A. Christenberry
 Austin Peay State University: Johnny Miller

Averett College: Joyce H. Weiblen
 Baptist College: David Risor
 Benedict College: William F. Gunn Jr.
 Bethune-Cookman College: Lloyd C. Johnson
 Bridgewater College: Tom Kinder
 Campbell College: Wendell Carr
 Central Florida, University of: John T. O'Leary
 Centre College: Herbert W. McGuire, Thomas A. Spragens
 Citadel: Maj. Gen. James A. Grimsley, Edward L. Teague
 Clemson University: Bill McLellan, Kenneth N. Vickery
 Davidson College: Thomas A. Cartmill
 Delta State University: Milton L. Bradley, Kent Wyatt
 District of Columbia, University of: Orby Moss, Ted Vactor
 Duke University: Tom Butters, Edwin Cady, Eugene McDonald
 East Carolina University: William E. Cain, Clifton G. Moore, Clinton
 Prewett
 East Tennessee State University: Jack M. Carlisle, J. Madison Brooks,
 Fred W. Middleton, P. M. Thomas
 Eastern Kentucky University: Donald G. Combs
 Eastern Mennonite College: Keith R. Phillips
 Elizabeth City State University: Thomas L. Caldwell
 Florida, University of: Bill Carr, Mandell Glicksberg
 Florida A&M University: Charles U. Smith, Walter L. Smith, Hansel E.
 Tookes
 Florida International University: Tom H. Wonderling, Anthony Sher-
 shin
 Florida State University: Richard M. Baker, John D. Bridgers, Phillip
 R. Fordyce
 Fort Valley State College: James E. Hawkins
 Frostburg State College: Kenneth Kutler
 Furman University: Francis W. Bonner
 Georgia, University of: Fred C. Davison, Vince Dooley, Joel Eaves, J.
 Reid Parker
 Georgia Institute of Technology: Joseph M. Pettit, William M. Sang-
 ster, Douglas W. Weaver
 Georgia Southern College: George A. Cook, William L. Cook
 Georgia State University: David Ewert
 Jacksonville University: Judson B. Harris Jr., Jesse S. Robertson Jr.,
 Robert H. Spiro
 James Madison University: William E. Callahan, Dean Ehlers, David
 A. Melesco
 Kentucky, University of: Cliff Hagan, William L. Matthews Jr., Otis A.
 Singletary
 Kentucky State University: Ralph E. Burns, William Exum
 Livingston University: Asa Green
 Livingstone College: Frederick D. Ponder
 Longwood College: T. C. Dalton
 Louisiana State University: Paul F. Dietzel, Carl Maddox, Paul W.
 Murrill
 Louisville, University of: Howard R. Hohman, Jack Lengyel, Burt L.
 Monroe Jr.
 Marshall University: Joseph H. McMullen, Harold L. Willey

Maryland, University of, College Park: Robert L. Gluckstern, Carl
 James, Charles A. Taff
 Maryville College: Steve Fickert
 Memphis State University: Ford Haynes Jr., Billy J. Murphy
 Mercer University: John T. Mitchell, Jack Pigott
 Miami, University of: Paul Massey
 Middle Tennessee State University: Lynn Haston, Charles M. Murphy
 Miles College: T. J. Knox
 Mississippi, University of: Warner Alford, Porter L. Fortune Jr.,
 Parham Williams
 Mississippi College: John W. Legg, Lewis Nobles, John M. Williams
 Mississippi State University: Gerry Gilmer, Donvon Horn, Alan Jones,
 Bob Tyler
 Morehead State University: G. E. Moran Jr.
 Morehouse College: Hugh M. Gloster, Arthur J. McAfee Jr.
 Murray State University: Johnny L. Reagan
 Nicholls State University: Don Ayo, Vernon F. Galliano, Don Landry
 North Alabama, University of: Wayne Grubb, Roy S. Stevens
 North Carolina, University of, Chapel Hill: Moyer G. Smith, John D.
 Swofford, Benson R. Wilcox
 North Carolina, University of, Charlotte: Larry C. Bostian, Thomas C.
 Turner, Clyde L. Walker
 North Carolina, University of, Greensboro: Tony Ladd
 North Carolina, University of, Wilmington: William J. Brooks
 North Carolina A&T State University: Jim McKinley, Albert E. Smith
 North Carolina Central University: Ray Greene, James A. Stevens
 North Carolina State University: Robert S. Bryan
 Northern Kentucky University: Lonnie J. Davis
 Old Dominion University: James Jarrett
 Pembroke State University: Lacey E. Gane, Raymond B. Pennington
 Richmond, University of: Charles S. Boone, E. Bruce Heilman
 Roanoke College: Thomas J. Martin
 St. Andrews Presbyterian College: Julian L. Smith
 St. Mary's College: Harry D. Woods
 Samford University: Cliff Wettig, Leslie S. Wright
 Savannah State College: Frank Ellis Jr.
 South, University of the: Walter Bryant Jr., Horace Moore
 South Alabama, University of: James H. Boyd, Melvin A. Lucas
 South Carolina, University of: William F. Putnam
 South Carolina State College: Milton D. Hunter, Victor E. Kerr Jr.
 South Florida, University of: Richard T. Bowers, Travis J. Northcutt
 Jr.
 Southeastern Louisiana University: Robert C. Brown, Leo P. Jones
 Southern Mississippi, University of: Roland H. Dale, J. Lloyd Milam
 Southern University, New Orleans: Artis M. Davenport
 Tampa, University of: Robert M. Birrenkott
 Tennessee, University of, Chattanooga: James E. Drinnon Jr., Charles
 M. Temple, Harold B. Wilkes
 Tennessee, University of, Knoxville: Donald Eastman, H. Alan La-
 sater, Henry Lee Parker, George R. Woodruff
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DIVISION I ROUND TABLE

Monday, January 8, 1979

The Division I round table of the National Collegiate Athletic Association convened at 8 a.m., Monday, January 8, in the California Rooms of the St. Francis Hotel. Charley Scott of the University of Alabama and chairman of the Division I Steering Committee presided. Panelists for the session included the other members of the Division I Steering Committee: Edward S. Betz, University of the Pacific; Francis W. Bonner, Furman University; Cecil N. Coleman, University of Illinois, Champaign; Eugene F. Corrigan, University of Virginia; Joseph R. Geraud, University of Wyoming; Kenneth W. Herrick, Texas Christian University; Douglas S. Hobbs, University of California, Los Angeles; John W. Kaiser, St. John's University (New York); Olav B. Kollevoll, Lafayette College; Henry T. Lowe, University of Missouri, Columbia; Casimir J. Myslinski, University of Pittsburgh; Joseph M. Pettit, Georgia Institute of Technology; Fred Picard, Ohio University; Jesse N. Stone Jr., Southern University, Baton Rouge, and John L. Toner, University of Connecticut.

[NOTE: The following is a summary of the round-table discussion. Only discussion of a significant nature concerning the proposed amendments is summarized. A verbatim transcript is on file in the Association's national office.]

Prior to the discussion, Mr. Scott introduced the members of the Division I Steering Committee and reviewed its schedule and responsibilities. It was noted that an adjustment had been made in the committee's 1979 schedule to include a meeting between the April and August meetings of the Council in order to consider actions taken by the Council during its spring meeting. Mr. Scott made various announcements, including a reference to the Division I Steering Committee's recommendation that some sample voting be conducted during the round table discussion, with the understanding that such voting would not be binding on the delegates. In this regard, Mr. Scott observed that proposal No. 34, if adopted, would permit limited voting in division round tables.

Academic Standards

Jack Larsen of the University of Southern California, who served as past chairman of the NCAA Committee on Academic Testing and Requirements, reviewed the distinctions between proposal Nos. 104, 105 and 106, all of which related to academic standards. It was noted that proposal No. 104 would permit the granting of financial aid to a nonqualifier during his first year in residence, while proposal Nos. 105 and 106 would prohibit the granting of such aid.

Mr. Larsen and Mr. Pettit pointed out that general dissatisfaction had been expressed concerning the present academic standard pre-

scribed by the 2.000 rule. Mr. Pettit indicated that the Division I Steering Committee had determined that the alternatives set forth in the "triple-option proposal" should be separated in order to give delegates the opportunity to consider the merits of each of the options involved.

Sample voting indicated a substantial majority of the Division I delegates present at the round table did not wish to permit financial aid for a nonqualifier during his first year in residence. In a second sample vote, it appeared that a majority of the delegates at the round table supported the concept of raising the high school grade-point average a prospect must achieve in order to be eligible during his first year in residence. Another sample vote indicated a substantial majority of the delegates supported the concept of utilizing alternative means (ACT or SAT scores) to determine a prospect's status as a qualifier. Finally, sample voting indicated that if proposal Nos. 104 and 105 failed, a majority of the delegates would not support proposal No. 106, which would apply the "triple-option" concept to Division I-A football institutions. After a general discussion of the various proposals, an additional sample vote was taken concerning proposal No. 104, with the understanding that this proposal would be amended to prohibit financial aid for nonqualifiers, and it appeared that a substantial majority would favor such a proposal.

Sample Voting

The delegates next discussed other items which would be subject to sample voting under proposal No. 34 (if it were in effect). A sample vote indicated that virtually even support existed for both proposal Nos. 79 and 80 concerning maximum awards for Division I-AA football. The group then reviewed proposal Nos. 130 and 131 related to part-time coaches, and a sample vote indicated that a majority supported the adoption of proposal No. 130 (unless proposal No. 108 was adopted to amend the freshman eligibility rule, in which case proposal No. 130 would be withdrawn by the Council). However, little support was indicated for proposal No. 131, which would add additional part-time coaches in the sport of football.

Finally, proposal Nos. 48 and 49, the last two items which would be affected by sample voting under proposal No. 34, were considered. These proposals related to the sports sponsorship criteria for Division I. Mr. Herrick described the purpose of proposal No. 48, which would require a minimum of eight varsity intercollegiate sports. The sample vote indicated that a majority of the delegates at the round table would support the requirement for sponsorship of eight sports as a Division I membership criterion.

Membership Classification

Lou Myers (University of Arizona), chairman of the Classification Committee, reviewed the background and intent of proposal Nos. 43 and 44. It was noted that the intent of proposal No. 43 was to establish procedures by which an institution that does not meet the criteria of the desired division could request a waiver of those criteria from the membership of the division itself. Mr. Myers indicated the intent of proposal No. 44 was to establish an inactive membership classification

within the active membership category for an institution that does not meet the membership criteria for any division.

It was suggested the terminology "unclassified" member be substituted for the reference to "inactive" member in regard to proposal No. 44, inasmuch as the institutions in question would remain active members of the Association. Mr. Scott agreed to bring the suggestion to the attention of the Council. Straw votes taken in regard to proposal Nos. 43 and 44 indicated general support for those amendments.

Enforcement

The group discussed proposal No. 61, which was intended to revise the Association's enforcement program by replacing the existing program with new rules and procedures. It was noted that this proposal would involve a new structure which would include an additional committee, the Adjudication Committee, as well as expanding the Committee on Infractions from the present membership of five to a total of 10.

In addition, the proposal involved procedures such as the cross-examination of witnesses, although the NCAA would not have subpoena power. Eligibility procedures were proposed that would involve the opportunity for a student-athlete to request an independent arbitrator to conduct the institutional eligibility hearing. Burton Brody of the University of Denver discussed the rationale for the proposal.

A straw vote was taken that indicated a substantial majority of the delegates present at the round table did not favor adoption of proposal No. 61.

Financial Aid

Proposal Nos. 74-77 and 82 were reviewed by Mr. Coleman and Mr. Hobbs. It was noted that proposal No. 74 was intended to exempt from the Bylaw 5 limitations a recruited athlete in sports other than football and basketball who is receiving financial aid not based on his athletic ability. Accordingly, a Division I member institution could recruit any number of student-athletes in those sports under such circumstances.

Straw votes were taken which indicated that a slight majority of the delegates at the round table favored proposal No. 74. Additional straw votes indicated that a majority of the delegates were opposed to proposal Nos. 75 and 76 (financial aid based on need for sports other than football and basketball), as well as proposal No. 77 (financial aid limitations) and proposal No. 82 (revision of the equivalency formula).

Other Legislation

The group considered proposals to delete or amend the limitations on recruiting contacts, and support was indicated for proposal No. 93, which would permit unlimited contacts subsequent to the day a prospect signs a National Letter of Intent. A straw vote was taken indicating a substantial majority supported proposal No. 108, which would permit only three years of eligibility for postseason competition after the freshman year. Finally, general support was indicated for proposal No. 129, which would permit only head coaches and full-time assistant coaches to recruit or scout off campus.

DIVISION II ROUND TABLE

Monday, January 8, 1979

The Division II round table of the National Collegiate Athletic Association convened at 8:15 a.m., Monday, January 8, in the Colonial Room of the St. Francis Hotel. James Frank of Lincoln University (Missouri), chairman of the Division II Steering Committee, presided. Panelists included the other members of the Division II Steering Committee: Sherwood O. Berg, South Dakota State University; Robert C. Brown, Southeastern Louisiana University; John Chellman, Indiana University of Pennsylvania; Chalmer G. Hixson, Wayne State University; John A. Hogan, Colorado School of Mines; Andrew Laska, Assumption College, and Thomas J. Martin, Roanoke College.

[NOTE: The following is a summary of the round table discussions. Only discussion of a significant nature concerning proposed amendments is summarized. A verbatim transcript is on file in the Association's national office.]

Preliminary to the discussion, Mr. Frank introduced the members of the committee, outlined its composition, duties and functions and made general announcements.

Statement of Philosophy

Mr. Frank indicated the Division II Steering Committee had been talking about a philosophy for the past two or three years, and the committee thought it was important in light of reorganization and undoubtedly continued reorganization that Division II develop a statement of philosophy.

A wide range of comments ensued concerning whether the statement should be amended to emphasize that Division II members believe in "striving for broad participation and competitive excellence in all of its athletic endeavors" rather than in one or two sports. Ultimately, the round table voted to amend the statement as noted above.

Additionally, the group voted to delete portions of the statement so that paragraph Nos. 5 and 6 read as follows: "5. A member of Division II recognizes the dual objective in its athletic program of serving both the campus (participants, student body, faculty-staff) and the general public (community, area, state).

"6. While Division II accepts the temporary membership of those institutions aspiring to membership in some other division, or those unable to subscribe to all of the aspects of the Division II philosophy, all members of Division II should commit themselves to that philosophy and to the regulations and programs of Division II."

Consent Package—Constitution

Mr. Berg reviewed the contents of the first "consent package" relative to amendments or changes in the constitution. This package

encompasses proposal Nos. 1 through 10.

Bruce Allison, Colorado School of Mines, asked if proposal No. 9, regarding the establishment of a Division I-AA football championship, would have any effect in the future in establishing championships in other sports or in dividing championships where Division II perhaps would be left with less than 45 members over a period of time. It was pointed out that Constitution 5-7-(e), which requires that at least 45 member institutions of a particular division sponsor the sport as part of their intercollegiate programs, only applies in establishing new championships. Joe L. Singleton, University of California, Davis, and member of the NCAA Executive Committee, advised that the Executive Committee had expressed concern with the 45-member requirement inasmuch as several championships currently have less than 45 sponsors and there is no provision to deal with this matter. The question being whether the Association should continue to sponsor championships in those sports where there is a decreasing interest among the membership.

Consent Package—Bylaws

Mr. Chellman reviewed proposal Nos. 11 through 29, which pertain to the bylaws. He indicated that in proposal No. 11, one sentence had been omitted (one sentence from the NCAA Manual on page 42 that had not been included in the program) and that it would be corrected by the Bylaws and Constitution Committee. Also, he indicated proposal No. 13 would be withdrawn from the package due to its controversial nature.

General

Mr. Martin explained proposal Nos. 30 through 36, which related to general items. Discussion centered around the proposal to permit limited voting in division round tables at NCAA Conventions and the proposed resolution pertaining to fatality insurance.

Amateurism

The group discussed several proposals pertaining to amateurism. Mr. Berg pointed out that proposal No. 38 regarding student-athletes' housing is a controversial issue inasmuch as it involves the fundamental issue of treating student-athletes in a manner comparable to other students at the institution.

Membership Classifications

Mr. Hixson reviewed proposal Nos. 43 through 60 relating to membership classification. Discussion centered around proposal No. 46, which would permit a member of Division II to be classified in Division I-AA in football, in addition to the opportunity to be classified in Division I in another sport (other than basketball).

Enforcement and Compliance

Mr. Frank explained that proposal No. 61 would represent a fundamental departure from the current NCAA enforcement procedures and the principle of institutional responsibility to apply eligibility regulations to student-athletes. It was also noted that No. 61 would entail a more time-consuming process than current procedures. Stanley

J. Marshall, director of athletics at South Dakota State University, spoke in opposition to No. 61 and, instead, urged support by members of Division II for proposal Nos. 62-67 and 69, which emanated from the Committee on Infractions and Council. Burton Brody, faculty athletic representative at the University of Denver, rose to request support for No. 61 while additional delegates spoke in opposition. Discussion and questions were invited by Mr. Frank while proposal Nos. 62-69 individually were considered.

Financial Aid

Mr. Hogan explained that of the 14 proposals related to financial aid, nine would be considered by Division II. No questions were raised concerning proposal Nos. 70-73; and with regard to No. 74, it was noted that the Convention Program was in error in that a vote by Division II delegates would not be required. Mr. Hogan advised the delegates that the Division II Steering Committee was opposed to Nos. 75 and 76 inasmuch as they provide for establishment of a new set of guidelines for awarding financial aid in sports other than football and basketball, and such guidelines could impinge upon institutional autonomy. A straw vote concerning Nos. 75 and 76 was requested that indicated a majority of the delegates present opposed such legislation. Regarding No. 81, the point was made that the proposal represented a gradual reduction in the number of athletically related grants in the sport of football. A wide range of comments followed concerning the advisability of limiting the number of such grants without a prevailing view of the delegates being developed. No discussion occurred regarding Nos. 82 or 83.

Championships

Mr. Martin opened the discussion relating to championships. Considerable discussion ensued relative to proposal No. 84, which would establish terminal championships in Divisions II and III by deleting those provisions which permit certain Divisions II and III student-athletes to participate in the National Collegiate (Division I) Championships. It was the sense of the meeting that the student-athletes from Division II and Division III who met the Division I standards should have an opportunity to compete against student-athletes in Division I.

Recruiting

Mr. Hogan briefly discussed proposal Nos. 91 through 95 relating to recruiting contacts, recruiting connected and television appearances by certain coaches, and the tryout rule.

Eligibility

With reference to proposal No. 96, which specifies minimum academic eligibility requirements for satisfactory progress toward a baccalaureate degree, Mr. Brown confirmed that there was a typographical error in the program. Ninety-six semester hours is equivalent to 144 quarter hours, rather than 114 as noted in the program.

Playing Season

Mr. Laska reviewed proposal Nos. 118 through 127 regarding playing seasons. Gary Bliss, University of Alaska, Anchorage, explained pro-

posal No. 124, which would permit institutions to play basketball games in Alaska or Hawaii after November 1 under specified conditions.

Personnel Limitations

Mr. Laska presented the five proposals that related to personnel limitations.

Chairman Frank indicated all proposed legislation had been discussed and asked if there were any questions or comments anyone wanted to be brought before the Division II round table.

Concern was expressed that there are discrepancies in the transportation-per diem fund established by the Executive Committee for student-athletes in all NCAA championships effective for 1978-79. Specifically, there was concern that student-athletes in sports such as cross country receive \$15 per diem for each day of competition whereas in Division I basketball a student-athlete is entitled to \$35. It was suggested this discrepancy is not equitable. Mr. Singleton, on behalf of the Executive Committee, explained that inasmuch as 1978-79 was the first year in which funds were available to reimburse member institutions for their student-athletes competing in NCAA championships that the Executive Committee had to establish criteria for allocating the available funds. The Executive Committee determined that championships that generate in excess of \$1,000,000 would be permitted \$35 per diem per day, championships that generate in excess of \$1 shall receive \$25 per diem per day and those involved in championships that do not generate any dollars would receive \$15 per diem per day.

It was suggested that Division II take a stand recommending that per diem for all athletes involved in NCAA championships be the same. The Division II delegates approved a motion that per diem be identical for all student-athletes involved in the Association's division championships. Mr. Singleton emphasized that the travel fund was new and that the Executive Committee would discuss further the reasonableness of the current formula for awarding transportation and per diem dollars to participants.

DIVISION III ROUND TABLE

Monday, January 8, 1979

The Division III round table of the National Collegiate Athletic Association was held from 8 to 11:30 a.m. in the Elizabethan Room of the St. Francis Hotel in San Francisco, California. Raymond J. Whispell of Muhlenberg College, chairman of the Division III Steering Committee, served as chairman for the meeting.

Panelists included the other members of the Division III Steering Committee: Gordon M. Brewer, Hope College; Edward W. Malan, Pomona-Pitzer Colleges; Arthur J. McAfee Jr., Morehouse College; Robert F. Riedel, State University College, Geneseo; LeRoy Seils, Denison University; James P. Sullivan, Boston State College, and Kenneth J. Weller, Central College (Iowa).

Chairman Whispell opened the meeting by reading an announcement detailing several important Convention procedures or deadlines. He noted these were important because the division round tables preceded the opening session of the Convention and the 1 p.m. deadline for amendments-to-amendments.

Mr. Whispell also introduced Edgar A. Sherman, NCAA secretary-treasurer from Muskingum College, a member of Division III.

Division III Survey

Mr. Whispell briefly reviewed results of the Division III survey conducted in the middle of the year. The survey provided guidance to the steering committee concerning awards of circumstance, indicated 73 percent of the membership of Division III favored application of NCAA eligibility rules to regular-season competition, revealed that just under 80 percent of the membership favored terminal championships and showed slightly less than half of the membership favored restrictions on playing and practice seasons.

Football Classification

William C. Stiles of Hobart College, chairman of the Division III Football Committee, led a discussion of whether institutions classified in Divisions I or II for basketball and other sports should be permitted to be classified in Division III for football. He, Mr. Whispell and Mr. Malan expressed concern that an institution in Division I for the remainder of its program could dominate Division III football, although this has not occurred to date. No comments were received from those in attendance, which the speakers interpreted as a lack of concern about the subject.

Division III Criteria-Financial Aid

Mr. Weller led discussion of proposal No. 57, the intent of which was "to insure the financial aid package awarded to student-athletes in Division III is assembled in the same manner and proportions as that

available to all students showing need at the institution."

Mr. Weller noted the proposal went to the heart of the financial aid-on-need status of Division III and, consequently, traced its historical development.

He noted the original goal of the division was commonality of financial aid awards and administration, but the division discovered there was an extremely wide variety of methods of implementation of the need philosophy among institutions. The primary area of difference was in the composition of the financial package. That is, some institutions, quite within the initial requirements of the regulations, enriched the financial aid package for the student-athlete. He noted the topic had been discussed in 1978, and straw votes were taken in an attempt to identify the consensus of the division toward the area. He noted a 1978 proposal by Bridgewater College would have required aid to student-athletes to be determined in the same manner and in the same proportions as those of other students on the campus. He noted there were serious problems with the wording and implementation of the proposal; and, after considerable discussion, it had been withdrawn with the understanding that the steering committee would consider the subject further. He reported the steering committee had devoted a major part of two meetings during 1978 to the question and had consulted with financial aid experts in drafting proposal No. 57. He emphasized the intent was to insure that the financial aid package awarded to student-athletes in Division III was assembled in the same manner or proportions as that available to all other students showing need at the institution.

He then examined the proposal's several sentences, noting the first spoke to the composition of the financial aid package and required that it be consistent with the established policy of the institution's financial aid office for all students. Each institution must have an official financial aid policy, which must be published in appropriate university publications. In determining compliance, the packages for student-athletes should not be clearly distinguishable from the pattern of all financial aid received by students and the percentage of the total dollar value of grants going to student-athletes must be roughly equivalent to the percentage of student-athletes in the student body unless the institution could demonstrate the need of student-athletes as a group was not typical of the need of all students.

Concerning the second part of the proposal, which provided that members of the athletic staff shall not be permitted to arrange or modify the package as assembled by the financial aid officer or the financial aid committee, he noted members of the athletic department are not excluded from membership on the financial aid committee; but any such appointment should come as a part of the staff member's institutional role as a faculty member or administrator and not as a specific representative of the athletic department. Further, such a staff member may operate only as a regular member of the committee. The athletic department would be permitted to present evaluations of prospective student-athletes and to make recommendations, but may not make any additional attempt to influence the financial aid committee. Thus, communications of this nature would be limited to recommendations.

The third sentence of the proposal stated, "No part of an institution's financial aid package shall be set aside either for particular sports or for athletics in general nor may an institution establish athletically related quotas of financial aid recipients." This sentence brought questions from the audience concerning whether endowed funds were covered. President Weller replied in the affirmative, which generated considerable discussion on that point (eventually, an amendment to the amendment to exempt such funds was offered to the Convention and defeated on the floor by the division).

Before concluding his presentation, President Weller emphasized the three sentences could be considered separately by the Convention; although it was the strong feeling of those present that it would be best to treat the proposal as a whole.

Chairman Whispell stated that Council interpretations of Bylaw 9 on the questions at issue in proposal No. 57 had been changed to a position that these requirements were not in effect and would not be if not adopted by the division. During the discussion, it was emphasized the institution will not be obligated to keep financial aid records but would have to demonstrate compliance if its procedures were challenged. Mr. Weller, in summarizing, stated the proposal did not require that athletic ability be ignored in the award of financial aid, but that it could not receive greater recognition in the packaging of aid for student-athletes than other special abilities did in the packaging of aid for other students, either in terms of the financial aid received by a single student or in the percentage of financial aid awarded to student-athletes.

A straw vote was taken on whether the round table participants favored sentences one and two of proposal No. 57. The vote was 70-36 in favor. A straw vote concerning sentence three was finished 52-46 in opposition. Next, the outcome of a straw vote on directing the steering committee to strike sentence three from the proposal was 51-59.

An amendment then was offered to the first half of the third sentence reading, "No part of an institution's financial aid budget shall be set aside either for particular sports or for athletes in general, except for income on endowment funds designated by the donor for the grant portion of the financial aid package of the student-athlete." A vote to submit the amendment indicated approval, 57-51.

Enforcement Program

The discussion of proposal No. 57 having consumed in excess of two hours, the round table then turned to discussion of other legislation of interest to the division. Mr. Sherman urged members of the division to vote against proposal No. 61, which would replace the current NCAA enforcement program with a new program. He quoted the assurances of Charles Alan Wright, chairman of the NCAA Committee on Infractions, that the current procedures carefully followed due process.

He also reminded the delegates that the division had to maintain 40 voting representatives in order to maintain a quorum and that lack of a quorum meant action could not be taken on common bylaws. He urged delegates to remain until the end of the Convention, noting the Convention program had been adjusted so adjournment would be at noon on the second day.

Scheduling Criteria

Proposal Nos. 31, 33, and 55 were discussed without questions from the floor or straw votes being taken.

Mr. McAfee reviewed proposal No. 56, which called for a Division III criterion of 60 percent basketball scheduling against members of the division. The procedure for obtaining a geographic waiver was discussed, as were the difficulties the proposal could cause members of conferences, the majority of the members of which were non-NCAA members. A straw vote indicated strong opposition to the measure.

Mr. Sullivan led the discussion of proposal No. 58, in which the definition and requirements for awards of circumstance were defined.

Terminal Championships

Mr. Whispell discussed proposal No. 84, which would establish terminal championships for Division III. Despite the vote on the Division III survey indicating members of the division favored the concept, a straw vote revealed overwhelming opposition to the proposal.

Women's Championships

Bill Marshall of Franklin and Marshall College led the discussion of proposal No. 85, which would establish women's championships for Division III. He noted a number of institutions in Division III do not hold membership in the Association for Intercollegiate Athletics for Women (AIAW), while for members of each organization the measure would provide an alternative opportunity for postseason competition. Further, he noted commonality of rules for the men's and women's programs might help in compliance with Title IX. He stated his opinion that it was time for the NCAA to make a commitment to all student-athletes, whether men or women. Several speakers urged that other championships be added, including track and field, softball, gymnastics and lacrosse. Others stated a preference for reaching an agreement for conduct of events with AIAW. One speaker indicated NCAA championship participation was less expensive than that of AIAW, while another stated the National Association of Intercollegiate Athletics was planning to initiate championship competition for women. Mr. Weller warned that initiation of an NCAA program for women might cause deterioration of the relationship of women's athletic staff members with others at the university. A speaker in favor of the proposal cited the expense of dual associations and dual conventions and AIAW inefficiency. He stated it would be preferable to someday have half of the NCAA be composed of women athletic directors, chosen because of their credentials and performance. Mr. Sullivan supported the proposal, citing it was permissive in that an institution could remain in the AIAW and participate in that association's programs if it desired. A final statement urged that AIAW be given an opportunity to grow and develop. A straw vote on the proposal showed 44 in favor and 68 opposed.

Lacrosse Championship

Proposal Nos. 87—to establish a Division III lacrosse championship—

and 103—to delete for Division III a reference to the 2,000 rule—were discussed briefly without straw votes.

Transfer Rule

Proposal No. 117 was discussed, which would permit the application of the Division III transfer rule waiver to a student who had not participated in varsity intercollegiate competition in his sport at a Division I or II institution. Thus, the participant in subvarsity competition could receive such a waiver. Mr. Whispell noted the Council voted to oppose the proposal on the grounds that it could lead to the deterioration of the relationships among divisions. A straw vote on the proposal was 57-35.

Playing and Practice Seasons

Proposal Nos. 118 and 119 were discussed briefly, the former permitting foreign competition if approved by the Council, the latter establishing playing and practice seasons for Division III institutions in specified sports. Mr. Malan indicated the steering committee's goals in proposing No. 119 were greater utilization of coaches and facilities and multisport participation by student-athletes.

A number of speakers opposed the limitations, citing the desire of institutions to emphasize different sports. A straw vote on the proposal was 15-89, and the members of the steering committee indicated they would ask the Council to withdraw the proposal. Proposal No. 121 to extend the basketball playing season to the next-to-the-last Friday in November was discussed. It was noted practice would not be extended, but institutions with an extended Christmas vacation period would be able to play two or three additional games while their students were still on campus prior to the holiday break.

Spring Football Practice

Proposal No. 125, which would allow limited spring practice in Division III in the sport of football, was discussed. Mr. Stiles reported the Division III Football Committee opposed the proposal and favored total elimination of spring practice. Another speaker favored limited practice over the current waiver provision based on geographic scheduling problems. Opposition was voiced because coaches of spring sports would have to participate in spring football practice. A straw vote, which was not counted, indicated little support for the proposal. It was noted proposal No. 126 would eliminate spring practice entirely.

Division I-AA Football

Gil Canale of Northern Michigan University asked the support of the division for proposal No. 46, which would permit a Division II institution to be classified I-AA football in that sport. A straw vote on proposal No. 46 then was taken, and it clearly was favored by those in attendance.

The meeting was adjourned with a final reference to the necessity of maintaining a quorum for Division III.

HONORS LUNCHEON

Monday, January 8, 1979

The 14th annual honors luncheon was held in the Grand Ballroom of the St. Francis Hotel, NCAA President J. Neils Thompson, University of Texas, Austin, presiding.

President Thompson: Ladies and gentlemen, we come to a most important occasion. It is a privilege to have the opportunity of presiding here and presenting to you the 14th annual honors luncheon and to welcome each of you to this event. If you will remain standing, it is my privilege to introduce to you John Bridgers, director of athletics at Florida State University and a leader in the Fellowship of Christian Athletes, who will present our invocation.

John Bridgers: May we bow our heads. Our Father, we thank you for this occasion where we may honor those who have provided so much inspiration through their examples and achievements. We ask your blessings on all of us today. Guide us in our institutions and the athletes in our programs, that our athletic and educational experiences will cause them to rise above themselves and those of this honor today. We ask this in your name. Amen.

President Thompson: Ladies and gentlemen, we need only to reflect on the outstanding competition of the recent bowl games and the past year's NCAA championships to identify the best in intercollegiate athletics. The deep-seated values that have made intercollegiate athletics a vital part of higher education are spotlighted during such events.

Today's honorees are the best representatives of our programs of our various educational institutions. The evidence clearly indicates the future of our society is dependent upon the strong values instilled in these former student-athletes during their college days. These athletes have assumed leadership and responsibilities in small towns, suburbia and metropolitan centers throughout the nation and in every respect. We also honor those athletes who still are developing and are creating similar values on college campuses today.

I, for one, am thankful the Council voted in 1964 to establish an honors luncheon at the annual Convention, because it directs our attention away from different philosophies at our respective institutions. Although these philosophies may differ, we have brought them together today in a common concern for legislation that governs us. This permits us, however, to focus upon the fact that participants in our intercollegiate programs succeed not only in athletic competition, but also in the competitive society in which we live.

These individuals sharing the dais today epitomize the student-athlete concept emphasized by this Association. Their outstanding athletic accomplishments have been measured by standards familiar to

each of us. I am sure you will agree at the conclusion of this occasion that this athletic talent has been complemented by academic achievement and by their many contributions to the environments each of our honorees has represented.

Gentlemen, we thank you for permitting the NCAA to recognize your achievements today, and we view your accomplishments with a deep sense of pride.

Before I introduce our master of ceremonies, I want to present two individuals at the dais who shoulder important responsibilities along with the Council and the Executive Committee, but are leaders along with that group. For the past two years, it has been my pleasure to serve the NCAA as your president, I have had an occasion to develop a strong personal relationship with an individual who has served you well as secretary-treasurer.

His input always has been sound, and his judgment has been fair and consistent. He was an outstanding football coach at Muskingum College, where he had a phenomenal won-lost record that I would like to see up on the signboard, too. He has served this Association on numerous important committees. It is my pleasure to introduce Edgar Sherman, director of athletics at Muskingum College.

Ed Sherman and I, and I am sure officers that have gone before us, have been exposed in a way to an outstanding talent, an outstanding individual with integrity and a dedicated sense of purpose, and that is the characteristic of our executive director. The maintenance of the NCAA's democratic system is in a strong measure due to his amazing insight and astuteness. Ed and I are indebted to him for his sound advice during the tenure that we have had these past two years. Walter Byers, will you please stand.

Now, it is my pleasure to introduce a very talented individual who will be our master of ceremonies. This individual has brought acclaim to the News Division of the American Broadcasting Company (ABC) in recent months with his articulate and detailed coverage of events throughout the Midwestern part of the United States on "World News Tonight."

He also has become a familiar face to college football fans who viewed the second games of doubleheader telecasts in November and early December with his five-minute news roundups at half time. Since this role has made him a member of the college football family, we are pleased he has joined us today to recognize our honorees.

Max Robinson, winner of three Emmy awards, is one of the nation's premier television journalists. He began his career as a studio floor director at WTOP in Washington, D.C., in 1965. Next, he covered Capitol Hill and the White House, and anchored the station's "Eyewitness News" for nine years before then becoming head of ABC's Domestic Desk last June. "World News Tonight" premiered in July, and he became the first journalist to anchor network news on a regular basis outside Washington or New York City.

Ladies and gentlemen, it is my distinct privilege to present a good friend of intercollegiate athletics, Max Robinson.

Max Robinson: Thank you very much, President Thompson. I

would like to thank you and your staff of the NCAA for being such a good friend of television. It is very, very difficult for those of us who work in the business and who do programs like this to find people who, when you say five minutes, they mean 25, and when you say an hour, they mean 24 hours, if you know what I mean. (Laughter)

I certainly believe I have become a part of college football's family this fall with my weekly half-time reports. I am pleased I have this responsibility to meet any of you who are responsible for administering the collegiate sports programs that have played a significant role in our country's history. There is no doubt, as I have reviewed the accomplishments of these we shall honor today, that the benefit of athletic competition which aided their predecessors—those outstanding Americans who you have recognized previously—have been of noticeable value to each man.

Before I introduce these individuals, however, I request each of you to open your program to review an impressive list of 80 student-athletes who have combined academic and athletic excellence to earn \$1,500 postgraduate scholarships to continue their education. As most of you know, the NCAA began this program in 1964; and the Association has invested more than \$1 million—\$1,089,300, in fact—to assist 1,057 student-athletes in continuing their academic pursuits on the graduate level.

Please greet the chairman of the Postgraduate Scholarship Committee, Joe L. Singleton, director of athletics at the University of California, Davis.

The College Athletics Top Ten provides the Association the opportunity to salute five outstanding student-athletes for the preceding calendar year and five former lettermen who have distinguished themselves in their chosen professions on their Silver Anniversary as college graduates.

The responsibility of choosing these honorees rests with the members of the Top Ten Selection Committee, who are listed in your program. It is a tough assignment, for as outstanding as our honorees are, they are not unique student-athletes. The criteria for each of these categories also are listed on the centerfold of your program, and I will begin by introducing Today's Top Five to you. A film clip on each honoree may be seen on the screen as he is presented to you.

Gentlemen, please rise and remain standing at your place when I call your name. Following a brief resume of your collegiate career, please accept your award from Secretary-Treasurer Sherman at the dais on the lower tier.

William Augustus Banks, III, University of California, Los Angeles, track and field. His institutional representative is Douglas Hobbs, faculty athletic representative.

Few students complement academic excellence with a variety of extracurricular activities. But Willie Banks' undergraduate career was rich with quality performances in the classroom, athletic competition and student government.

The NCAA postgraduate scholarship awardee, who currently is continuing his education at UCLA, twice placed second in the triple

jump in the National Collegiate Championships, earning all-America recognition each time.

His 55'3" effort in June was just 15 inches short of the leader; and he missed the title as a junior with an identical jump, which was only ¼" behind the winner. A two-time Pacific-10 Conference champion, he once was ranked second in the world by Track and Field News. The team captain was a double-winner in the long jump and triple jump 15 times during his career.

In UCLA's Student Legislative Council, Willie was a student educational policies commissioner and committee chairman. He also was the student representative to the Academic Senate and served as the Chancellor's Marshall at commencement exercises.

Willie also was selected a Coro Fellow from more than 400 nominees in the Los Angeles area, qualifying him for this prestigious Master's program in urban studies. He was a finalist for the UCLA Outstanding Senior Award and donated considerable time to motivating children in the community and teaching a Sunday School class.

Ladies and gentlemen, William Augustus Banks, UCLA.

Robert W. Dugas, Louisiana State University, football. His institutional representative is head football coach Charley McClendon, president-elect of the American Football Coaches Association.

Offensive linemen usually lead a rather obscure life on the football field. Coaches and running backs watch their play with intensity, but the typical fan only notices them when they jump offsidelines.

But Robert Dugas' career at LSU has not gone unnoticed in athletic or academic competition. He twice has been selected to the academic all-America team. A premed major, the NCAA postgraduate scholarship honoree established a 3.61 grade-point average.

He also excelled at offensive tackle, where he has earned recognition on several all-America teams, and twice has been a consensus all-Southeastern Conference and all-South selection. The team's tri-captain also was named the Associated Press national lineman-of-the-week for his outstanding play against Florida.

An Omicron Delta Kappa and Phi Kappa Phi honoree, he also was selected to the Leadership and Academic Mortar Board, and to Alpha Epsilon Delta medical fraternity.

His peers elected him to Who's Who Among American Colleges and Universities, and he recently received a Scholar-Athlete Award from the National Football Foundation and Hall of Fame.

Ladies and gentlemen, Robert W. Dugas, Louisiana State University.

Stephen Ray Fuller, Clemson University, football. His institutional representative is H. C. McLellan, director of athletics.

Steve Fuller is a two-time Atlantic Coast Conference player-of-the-year and has led Clemson to its best two records in the past 20 years. Steve is considered one of the nation's premier passers, yet his 611 net yards rushing was the fourth best by a quarterback.

He established Clemson season records in total offense with 2,092 yards and passing with 1,655 yards while leading the Tigers to an 8-2-1 record as a junior; and he set career marks this fall with 5,743 running

and passing yards and responsibility for 43 touchdowns. He directed his team to the Atlantic Coast Conference championship, a 10-1-0 record and a second consecutive appearance in the Gator Bowl.

Steve's athletic accomplishments have been equaled by his academic excellence. The NCAA postgraduate scholarship honoree established a near-perfect grade-point average of 3.93, while majoring in history. He also is a Mortar Board and Blue Key member, and active in the Tiger Brotherhood, a campus service and leadership fraternity. He was elected to Phi Eta Sigma freshman honorary, is a Phi Beta Kappa and Phi Kappa Phi nominee, and is active in Sigma Alpha Epsilon.

Steve also recently was presented a scholar-athlete award from the National Football Foundation and Hall of Fame. Ladies and gentlemen, Stephen Ray Fuller, Clemson University.

Daniel Lee Harrigan, North Carolina State University, swimming. His institutional representative is Robert Bryan, faculty athletic representative.

Dan Harrigan is no stranger to international swimming competition. He began earning world-class acclaim when he won the 200-meter backstroke in the Pan American Games three years ago, and matured with a Bronze medal in the 1976 Olympics and world-ranked times in four events as a collegian.

He earned all-America recognition placing in three events in the National Collegiate Swimming Championships last March, and he swam the world's fastest 200-meter backstroke last year in competition against East Germany.

Dan was the Atlantic Coast Conference's most valuable swimmer, and he completed his eligibility with seven North Carolina State and ACC records. After overcoming a bout with hepatitis prior to his junior season, he completed a successful year placing second in his specialty in the NCAA championships; and he had two firsts and a third for the United States in a dual meet against the Soviet Union.

He also was an all-America in the classroom, earning a 3.52 grade point average majoring in environmental design and architecture. Dan was one of three students who served on North Carolina State's Athletics Council, and he has devoted many hours speaking to elementary and high school education students. He participated in two North Carolina cerebral palsy telethons and has made numerous appearances for walk-a-thons and mental health associations.

Ladies and gentlemen, Daniel Lee Harrigan, North Carolina State University.

James Joseph Kovach, University of Kentucky, football. His institutional representative is director of athletics Cliff Hagan.

Life would have been much simpler for Jim Kovach this fall had he decided to bypass his final season of intercollegiate football eligibility. He had graduated with a 3.50 grade-point average majoring in biology in the spring, and he could have entered the University of Kentucky medical school without concerning himself with extracurricular activities.

But the all-Southeastern Conference linebacker had missed his

senior season in 1977 after sustaining an injury on the third play of the first game, and a hardship request had been approved providing him another chance to complete his eligibility.

Jim believed he had an obligation to his university and his teammates, and he wanted to compete if he could make satisfactory arrangements with the coaching staff permitting him to enroll as a full-time student in the School of Medicine and still play football. The coaching staff insisted he put his academic pursuits first, but also wanted him on the team. So he decided to accept the challenge.

Laboratory classes prevented Jim from attending many of the team's practice sessions each week and special transportation was arranged to rush him from the classroom to the team plane for each away game. But it was well worth it—for Jim and for the University of Kentucky.

He fulfilled his athletic ambitions by again leading the team in tackles and earning all-conference recognition. He also was a co-captain, and the four-year starter completed his career with a record 550 tackles. A Phi Beta Kappa honoree, he participated in the UK round table discussions and was a fund raiser for the Cardinal Hill Children's Hospital. Jim also is the College of Medicine's Class of 1982 Representative to Hospital Interprofessionals.

By the way, on his first medical school examinations, which were held at the height of the football season, Jim had three A's and two B's. Ladies and gentlemen, James Joseph Kovach, University of Kentucky.

It is now my pleasure to call back Steve Fuller, who will respond on behalf of the Today's Top Five honorees.

Stephen Ray Fuller (Clemson University): Ladies and gentlemen of the NCAA and honored guests: It is with a great deal of pleasure that I represent my fellow athletes and students here today in accepting this gracious award. At this time in our young careers, it is especially rewarding to be honored by such a well-respected and well-meaning organization. For almost a century, the NCAA has promoted a spirit of achievement not only on the playing field but in the classroom and on the respective campuses of its member institutions.

Here in our last few months of college life, we realize the character building and training we have received for the past year will remain with us and serve to make us better citizens in this great country of ours. Men with leadership qualities like strength, endurance, courage, integrity, and the ability to work hand and hand with our fellow man in achieving a common cause. We, the Top Five for 1979, will strive to represent the NCAA and our respective schools and families in the very best possible ways in our remaining college lives and business lives.

Again, let us be thankful for the support that the NCAA has provided in promoting the qualities that will make us better students and better men. We accept this honor, not for personal gratification or glory, but only the reward for much hard work and dedication in our respective fields of studies and on the athletic fields.

Mr. Robinson: Thank you, Steve. I congratulate you and each of your peers who was honored with you on this memorable occasion. Now, we salute the Silver Anniversary Honorees. Gentlemen, please rise and remain standing when I call your name. Following a brief

resume of your collegiate and post-college careers, please accept your award from Secretary-Treasurer Sherman.

Charles B. Barcelona, president, Peter J. Schmitt Company, Inc., University of Toledo, football. His institutional representative is Vernon M. Smith, director of athletics.

Charles Barcelona's expertise in the wholesale grocery business is recognized internationally. He began building his reputation when he joined the Fox Grocery Company in 1958 and subsequently increased that organization's sales from \$11 million to \$250 million in 10 years, serving as General Manager and Vice-President before being elevated to the presidency.

He joined Weston-Loblaw Company of Toronto in 1975. This food conglomerate grosses approximately \$9 billion per year in North America, and he was vice-president of Merchandising for Canada and the United States. He subsequently was appointed president of the company's central New York and northern Pennsylvania interests and restructured a company that had been operating at a considerable loss in prior years to profitability with \$500-million sales volume. A part of that restructuring was changing its name to the Peter J. Schmitt Company, Inc.

Mr. Barcelona also has found time to participate in many professional and charitable organizations. He is a past governor of the National American Wholesale Grocers Association and was chairman of his 700-family parish convent drive which collected more than \$250,000.

He also is chairman of the Buffalo United Way Commercial Division, is active in the West Seneca Developmental Center for Retarded Children and will serve as chairman of the New York State Food Merchants Association convention this summer.

A member of the Buffalo Waterfront Development Corporation, he also has served on the Pennsylvania State Board of Education to the Council of Higher Learning.

Mr. Barcelona was an all-Mid-American Conference lineman and was the Toledo co-captain his senior season. He also was a member of Scabbard & Blade honorary, Phi Kappa Psi, and was a reporter for the campus newspaper. A distinguished ROTC graduate, he was awarded the only regular Army commission in the class of 1964. He was presented two unit commendation medals and two Oak Leaf Clusters for his military achievements.

Ladies and gentlemen, Charles B. Barcelona, University of Toledo.

Dr. Paul A. Ebert, chairman of surgery, University of California Medical Center, Ohio State University, basketball and baseball. His institutional representative is director of athletics Hugh Hindman.

Paul Ebert bypassed a promising professional career in basketball and baseball to devote his life to medicine. He had been a three-time all-America and all-Big Ten Selection in each sport at Ohio State before he made the decision to replace his love for athletics with his affection for medicine.

An honor student, the basketball captain averaged 23.4 points his

senior season; and his 1,436 career points and 21.8 average currently ranks seventh in the Buckeye records book. The baseball pitcher also had a 5-0 record his final year. He was selected for the sophomore, junior and senior honorary; and he was a member of Kappa Sigma.

He continued his outstanding academic record at the Ohio State University Medical School and graduated cum laude in 1958. He spent two years in residency and internship at the Johns Hopkins Hospital before becoming the senior assistant surgeon at the United States Public Health Service's National Heart Institute for four years.

Dr. Ebert joined the Duke University Medical Center in 1966 and then became chairman of surgery at the Cornell University Medical College and surgeon-in-chief at the New York Hospital from 1971 until 1974. He has been chairman of the University of California Medical Center's Department of Surgery the past four years.

Dr. Ebert has served on numerous societies for vascular, clinical, thoracic and university surgeons; and he is on the editorial boards of the American Journal of Surgery, Annals of Surgery, Cardiovascular Medicine and Surgery, and Western Journal of Medicine.

He also is immediate past chairman of the American Board of Surgery, and will serve as an examiner the next four years. Dr. Ebert was president of his medical school class, a member of Alpha Omega Alpha and he was featured on NBC's Lifeline Program in the fall.

Ladies and gentlemen, Dr. Paul Ebert, Ohio State University.

Mr. Robert J. Pettit, Chairman of the Board, Jefferson Bank & Trust Company and the American Bank & Trust Company, Louisiana State University, Basketball. His institutional representative is director of athletics Paul Dietzel.

Bob Pettit's accomplishments in collegiate basketball are almost as vivid today in the memories of individuals familiar with the sport as they were when he completed his eligibility at Louisiana State University 25 years ago.

After all, he had led the nation in scoring his junior and senior seasons with 24.7 and 31.4 averages, respectively, was third nationally his sophomore year with 25.5 points per game, twice was a consensus all-America, and earned all-Southeastern Conference honors three years.

He completed his career with 1,893 points—a 27.4 average—and 1,010 rebounds—that's 14.6 per game—led LSU to two undefeated seasons in conference play, and averaged 30.5 points in six National Collegiate Championship games. The Omicron Delta Kappa Honoree had high scoring games of 60 points vs. Louisiana College and 57 and 50 against the University of Georgia. He had a record 22 field goals in the 50-point game. He also averaged 17.3 rebounds his senior season. He continued his outstanding basketball career as a first-round draft choice at Milwaukee and earned professional rookie-of-the-year honors.

He was named all-pro each of the 11 years he was a competitor, was named most valuable player four times and led St. Louis to five Western Division championships and one National Basketball Association title. He was the league's statistical leader in scoring twice and

rebounding once and was the first player in NBA history to exceed 20,000 points. He averaged more than 25 points per game in six seasons and had a high scoring mark of 57 points in one game. He is a member of the Hall of Fame.

He began his banking career as a trainee for American Bank and Trust Company of New Orleans in 1962 and worked three "off-seasons" before he was named vice-president when he concluded his basketball career. He was named to the Executive Committee and the Board of Directors before investing in the Jefferson Bank and Trust Company in Metairie in 1970.

His civic and professional contributions are too numerous to mention, but I would like to spotlight a few. He was president of his class at the LSU School of Banking, one of the LSU Foundation's 200 members and is a past chairman of the Archbishop's Community Appeal for Metropolitan New Orleans and the Council for Better Louisiana.

He is president of the board of the Tulane University Medical School, a Director of WYES-TV Public Television, and a member of the Board of the Louisiana Boys' Club of Greater New Orleans, the Fellowship of Christian Athletes and the State of Louisiana Commerce and Industry Commission.

Ladies and gentlemen, Robert L. Pettit, Louisiana State University.

Hamilton F. Richardson, director of tax-sheltered investments, John Muir and Company, Tulane University, tennis. His institutional representative is director of athletics Hindman Wall.

Although Ham Richardson earns his livelihood advising clients about tax-sheltered investments for John Muir and Company, he often devotes as many hours combating diabetes as he does representing this New York Stock Exchange member.

In fact, just two months ago, he was recognized for his leadership and service to the Juvenile Diabetes Foundation, a nationally accredited voluntary health organization with 102 chapters in the United States and Canada.

He also is a foundation director and is on the Southwestern Diabetes Foundation Board, which is responsible for operating Camp Sweeney for diabetic children. Mr. Richardson is a past chairman of the Dallas Diabetes Association, a former director of the American Diabetes Association and was presented the Joslin Award for outstanding service to diabetics in 1956.

A former Rhodes Scholar who earned 33 A's and two B's at Tulane, Mr. Richardson twice won the National Collegiate Tennis Singles Championships and was the Southeastern Conference Titlist four times. He also competed on the U.S. Davis Cup Team and played No. 3 singles when the United States defeated Australia in 1954. He also was a Phi Beta Kappa and a member of Omicron Delta Kappa.

He began his career in investment banking for Smith, Barney and Company in 1960 after serving as executive secretary for Senator Russell B. Long, and he became the leading salesman in the Dallas office in 1966 and 1967.

He founded his own company in 1971, is a founder and shareholder in

a number of publicly owned companies and is active in several oil and gas drilling partnerships. He has represented John Muir and Company since 1977.

He is a member of the Tulane University President's Council and the Kennedy Memorial Commission in Dallas, a financial consultant for the National Commission on Urban Growth problems, and was selected one of America's Ten Outstanding Men of 1954 by the United States Junior Chamber of Commerce. He also was an original inductee in the Tulane and Southern Tennis Halls of Fame.

Ladies and gentlemen, Hamilton Richardson, Tulane University.

Richard A. Rosenthal, chairman of the board, St. Joseph Bank and Trust Company, University of Notre Dame, basketball. His institutional representative is director of athletics Ed Krause.

In recent years, the St. Joseph Bank and Trust Company has received much deserved acclaim for attracting and assisting businesses which have escalated economic and cultural opportunities in South Bend and Northern Indiana. And Richard Rosenthal, who was named president and chief executive officer of the bank at age 29, is the person most responsible for this progressive commitment to improve that area's environment.

He joined the St. Joseph Bank and Trust Company in 1962 after serving as first vice-president and director of the Fort Wayne Bank and Trust Company and was elevated to the chairman of the board 10 years later.

A three-year starter in basketball who earned all-America mention, he was Notre Dame's leading scorer his junior and senior seasons. The team captain scored 1,227 points and ranks 11th in the Irish records book. He averaged 20.2 points per game as a senior and was presented the Bryon Kanaley Top Student-Athlete Award. The Dean's list student also served on the Recreational Council for the Logan Center for the Handicapped his final four semesters.

Mr. Rosenthal's interest in professional and civic activities has not dwindled in the past 25 years. He is on the Notre Dame President's Committee and chairman of the School of Business' Advisory Board. He also serves on the Downtown Council Executive Committee, and is a member of the board of directors for the Indiana Teachers Retirement Fund, the Roman Catholic Diocese of Fort Wayne and South Bend and St. Joseph's Hospital.

A participant in U.S. Department of Commerce trade missions to the Scandinavian Countries, the Netherlands, Germany and the Orient, he also served on the Chicago Export Expansion Council and was chairman of the Take Stock in America Campaign.

Mr. Rosenthal is a recipient of the Los Angeles "City of Hope" Research Hospital's Spirit of Life Award and was installed a Knight of the Order of the Holy Sepulchre by Pope Paul IV. He also has been recognized for his outstanding achievements and contributions in business and economics by Indiana University's South Bend Division, served on the Tri-State College Board of Trustees, chaired the United Fund Campaign and is past president of the Notre Dame National Alumni Association.

Ladies and gentlemen, Richard A. Rosenthal, University of Notre Dame.

Responding on behalf of the Silver Anniversary honorees is Bob Pettit.

Robert Pettit: Thank you very much. On behalf of Chuck Barcelona, Paul Ebert, Hamilton Richardson and Dick Rosenthal, I should like to express appreciation to the NCAA for selecting us to be honored today as the Silver Anniversary award-winners. It is particularly gratifying to me, who at Baton Rouge High School as a sophomore held the distinction of being the only man in the history of the school that was cut from four sports.

My only athletic honor was that I was 5-9 and weighed 118 pounds; and I had a figure, not a build, and one of the weight men picked me up and threw me 180 feet. He thought I was a javelin.

You know, this is a major event in our lives. To be selected by you from all the student-athletes in the class of 1954 is a source of tremendous pride and a truly great honor, one we shall treasure.

We hope the participating athletes are ever cognizant of the competition, desire, determination, discipline, dedication and humility we need so badly in our daily lives that were first nurtured on the field. The ecstasy of winning and the misery of losing broadens each of us and prepares us for the competition we face in our daily lives.

We cherish the victories and learn from the defeats. Our deep appreciation goes to the institutions that give us a quality education, the opportunity to compete in intercollegiate athletics and who nominated us to be here today. To the University of Toledo, Ohio State University, Louisiana State University, Tulane University and the University of Notre Dame, we express our deep gratitude and thanks.

On behalf of the other recipients and myself, I thank you again for the honor you have bestowed upon us; and we hope we may always be worthy. We appreciate you not only on our behalf but on behalf of all the men and women of this country who kindly have given leadership and guidance. Thank you very much.

Mr. Robinson: Thank you, Bob, and congratulations to all of you. The Theodore Roosevelt Award annually is presented to a "distinguished citizen of national reputation and outstanding accomplishment for whom competitive athletics in college and attention to physical well-being thereafter have been important factors in a distinguished career of national significance and achievement."

It is the highest honor the Association can bestow upon a former letterman at a member institution, and you may wish to review in your program the prominent list of gentlemen who have received this distinction in the past.

Today's honoree meets the criteria for this prestigious award in every respect; and it is no surprise to his colleagues, and many in this beautiful room today who closely have followed his career from intercollegiate participation at Stanford University to his rise to the top position in one of the world's most prestigious newspapers, although he is the youngest former student-athlete to receive this

honor. He joins an exclusive group of former lettermen—leaders not only in their chosen profession, but in our great country.

Otis Chandler was one of the nation's premier shot putters, and held the world's third-longest throw in 1950 with a Pacific Coast Conference record 57' 3 $\frac{3}{4}$ ". He participated in international competition and captained the 1952 U.S. Air Force Track and Field Team. He was considered a strong candidate for the 1952 United States Olympic team, but injuries slowed his preparation in the trials; and he disappointedly did not fulfill his lifetime ambition.

His leadership qualities were evidenced at Stanford, where he served as president of Delta Kappa Epsilon. Athletically, he was a pioneer in advocating weight lifting as an aid in conditioning athletes and improving performances.

He joined the Times Mirror Company in 1953 after serving two years in the Air Force and was a trainee in the Mechanical, Editorial, Circulation and Advertising Departments before being appointed assistant to the president four years later. He held this position two years, became marketing manager for two more years, and then became publisher in 1960.

His professional advancement did not stop there, however, since he continued to shoulder numerous other responsibilities for the corporation, including Times Mirror Newspaper Division vice-president, president of the Newspaper and Forest Products Divisions and election to the Times Executive Committee and the Times Mirror Board of Directors. He later was elected vice-president of the board, and Times Mirror senior vice-president before becoming the chief executive officer for the corporation last year.

His journalistic contributions and his concern for his fellow man have not gone unnoticed by his peers. He has received numerous awards, including the Coro Award signifying contributions in public affairs, the University of Missouri Honor Medal of Distinguished Service in Journalism, the Lovejoy Award for Journalistic Achievement and the University of Southern California's Distinguished Achievement for Journalism.

He also has been a member of the American Newspaper Publishers Association Foundation Board of Trustees, and served on the prestigious International Committee to Free Journalists held in Southeast Asia between 1971 and 1975.

A director of many corporations, including Pan American and Western Airlines and The Associated Press, he also served on President Johnson's Commission on Law Enforcement and Administration of Justice.

Stanford University also has continued to benefit from his talents since graduation. He was an advisory board member for the Professional Journalism Fellowships Program, a trustee and an honorary trustee who served on the Committee for Economic Development.

Although these professional responsibilities require most of his attention, he also has maintained an active interest in track and field, weight lifting and other sports, including sports cars and motorcycling. He has maintained his competitive spirit, and I am told the experience

he has gained navigating the Los Angeles freeway system the past 25 years was the deciding factor in helping him place sixth in the six-hour Watkins Glen automobile race last year. (Laughter)

Ladies and gentlemen, I take great pleasure in presenting the 1979 Theodore Roosevelt Award recipient to you, Otis Chandler, Stanford University.

President Thompson: Mr. Chandler, the NCAA, in recognizing your most outstanding and superb career as a student and as an athlete, and your continuing dedication to your interest and your high personal standards, I am pleased to present to you the 1979 Theodore Roosevelt Award for your outstanding contributions to the profession of journalism, public affairs and higher education.

Otis Chandler: Ladies and gentlemen, I appreciate this unbelievable honor. I don't feel it is deserving when I look at the list of past honorees and hear the outstanding accomplishments of the 25-year club, the gentlemen to my left, and also the young men on my right. I thank you, Mr. Thompson, for being here today, for inviting me to be with you all today and at this great occasion.

I am indebted to the selection committee for looking back at my career. I am indebted to the NCAA for giving me the inspiration which it did in my years at Stanford. I appreciate the opportunity at Stanford I had to participate in intercollegiate athletics both in track and in weight lifting. As Mr. Robinson said, I have tried to continue in sports.

I do have one message, if I may, to leave with you, which over these many years these old bones I think have accumulated. That is never get out of shape. Always try to keep yourself in physical and mental condition and always remain competitive. I think this is something that all of us can do, whether it be in business or sports, that can provide us a wonderful life for the rest of our lives, and I think you can only do it if you keep your body in excellent physical condition and never get out of shape.

I will give you two brief examples. Last year, at the age of 50, I was sitting at the starting line of Watkins Glen, New York, sitting in a Porsche 935, a 210 mile-an-hour car, and my first professional automobile race, competing against all the world's best drivers. I was starting in the rain. I had never been on rain tires, which was a thrill. Anyway, we did well. We finished safely, placed up high, way ahead of anybody else. I found out later when I got out of the car that it was about 105 degrees that day, and I was a little bit tired. But then I heard that many of the young drivers from around the world, who were half my age, had to be pulled out of their cars and given oxygen and professional medical treatment.

I only attribute my sustaining power to the fact that I always have tried to stay in shape. The year before I found myself at 18,000 feet, halfway around the world in Afghanistan, seeking one of the goals of my hunting career, which was the Marco Polo sheep. They are only found in Afghanistan. We only had a short time to get up to this altitude. The Afghanistan government gives you 10 days for hunting. One day we went from 8,000 to 16,500 feet.

My partners and I all had worked out religiously and we had no

problems at that altitude. And I was sitting up there at 18,000 feet after having taken the world-record sheep and I said to myself, there is only one reason I am here—either I am crazy or I am such a competitor and I have tried to stay in shape all these years.

To you young people, I hope you will always hear my words, and congratulations to our host, the NCAA, for the great job you all do for everyone in this country.

President Thompson: Thank you, Mr. Chandler, very much for those very fine remarks; because they are quite appropriate. It is now our opportunity to honor that institution that helped that start for a great career. We are grateful to Stanford University. We are sorry that President Lyman of Stanford was unable to be here, but we are delighted that Mr. Frank Tatum, a member of the Board of Trustees of Stanford University is here, and we have a memento for him to take back to the university in regard to the honoring on this great occasion.

Mr. Robinson: It has been my distinct pleasure to share this time with you today, and particularly I am pleased that I had the opportunity to participate in an event which will provide lifetime memories for these individuals who have been so deservedly honored.

There is no doubt in my mind intercollegiate athletics are viable programs within both the secondary and higher education systems, and individuals who participate in these activities always will play important leadership roles throughout their lives.

Each of you in the audience who is responsible for administering intercollegiate athletics should swell with pride for the accomplishments of these honorees. The positive influence they have had, and will continue to have, on our society will be evident to all generations. Men like these we have recognized this afternoon cast the mold for our leaders of today, tomorrow and yesterday.

If you will forgive me, a personal note, I am especially proud to be here because my late father was a high school coach and teacher who had a very important effect on my life, perhaps more than anybody in my life. My mother often tells me I should mention her and, of course, I do, but my father taught me to be competitive. But other than to be competitive, he taught me to be fair, fairness and justice. He would always say it wasn't so important what you did on the field, he did not sacrifice and give his life for that, but what would happen off the field.

He said he was building men and character, not muscle-bound athletes. I think he did a fairly good job with his sons, though I must confess he did not do well with me as an athlete. He kicked me off the basketball team. (Laughter) He believed in fairness of everyone but his sons. (Laughter) He bent over backwards to show that he would never be partial to his family. As a matter of fact, when I went out for the football team, I did want to follow in my father's footsteps; and I went out for the football team weighing 142 pounds, almost my present height, and he selected me for the position of offensive center on the football team. I did not make it.

My brother, who was a top scorer and captain of the basketball team, also was kicked off the team and joined me in the crowd. But my father was a great man who helped me immensely. I say this to you: his life

helps me understand all of you who are here today and your impact on our country.

I congratulate each of these honorees, and I encourage you to continue your efforts to administer intercollegiate athletic programs on a high plane and to maintain their justified emphasis in higher education. My wife and I have enjoyed having this opportunity to visit San Francisco, and we are pleased ABC "World News Tonight" has become a part of the NCAA family. Thank you.

President Thompson: Thank you very much, Max, for those wonderful words. I think you express for many of us the reasons why we are involved in athletics, why we are proud of the NCAA and why we are proud of our institutions. They are a part of this organization and help it to operate a program that makes contributions to our nation, and we have the evidence of these contributions today.

We want to present a little memento for you and your wife of this occasion, and the best way I know to present it is to remove the napkin. (Laughter) We have some silver goblets that commemorate this occasion. We hope you will remember it. Your contribution was tremendous, and we are grateful to you for it. Thank you. I want to adjourn this meeting by asking John Bridgers to come forward and give our benediction.

Mr. Bridgers: Please let us bow our heads.

Our Father, thank you for this luncheon. May the examples of achievement and dedication help us to see more clearly the goals we are ascribing for intercollegiate athletics. We ask our continued blessing upon those whom we have honored. May we keep in focus our fine objective as we deal with problems and frustrations during the course of this Convention. We ask this in Your name. Amen.

73rd ANNUAL CONVENTION OPENING SESSION

Monday afternoon, January 8, 1979

The 73rd annual Convention of the National Collegiate Athletic Association was called to order at 3 p.m., by NCAA President J. Neils Thompson, University of Texas, Austin, in the Grand Ballroom of the St. Francis Hotel, San Francisco, California.

1. OPENING REMARKS

President Thompson: It is my pleasure to welcome you to this opening session of the 73rd annual Convention.

At this time, I should like to take a few minutes of your time to introduce you to the Executive Committee and the Council. These two bodies have spent an exceptional amount of time during this past year in conducting the business of the Association. This has been a drain on their personal time. I want to say that we are grateful to the institutions that permit these individuals to participate in the activities of this Association.

[At this point, President Thompson introduced Secretary-Treasurer Edgar A. Sherman, members of the 1978 Council and Executive Committee and several past presidents of the Association who were in the audience.]

As you know, we are conducting our meeting under the procedures prescribed by Robert's Rules of Order, the latest edition thereof. One is the need to adopt the Convention Program prior to the beginning of our business. I will now ask for a motion to adopt the printed program of this Convention so we may proceed with the work of the Convention.

[The motion was made, seconded and approved.]

Robert's Rules of Order provides that the procedures therein may be superseded or replaced by an organization's own traditional and customary procedures.

This Association has a number of such procedures and several of them are reviewed in the introductory sections of your program.

In addition, you will find in Appendix D of your program a reference list of policies and procedures concerned with the operation of our Convention. All of the Convention procedures are designed to assure fairness and equitable treatment for all members as well as to eliminate any questions of propriety and expedite your work as delegates.

I will not take the time today to explain all the parliamentary procedures used to assure fairness as we did in considerable detail last year. It paid off, because we did finish our agenda last year, as difficult as it was, and with as much discussion as there was. I should like to do so again. I will remind the delegates, however, that Robert's Rules state

that any motion to table, which is designated to prevent debate or to kill a motion, is dilatory and thus will be ruled out of order. Only a two-thirds majority of this body can suppress debate on a circularized proposal.

I caution you in that regard. This is the procedure we have been using, and I think it is most important in the conducting of our program. As a response to suggestions from the membership, your Council and Executive Committee have scheduled the adjournment of this Convention for noon Wednesday rather than the customary 5 p.m. That scheduling is designed to eliminate the quorum problem, which as some of you will remember thwarted several proposals scheduled to be considered at the 1978 Convention. There was not adequate representation to act on those proposals.

We trust that this early adjournment and the several advance announcements of this adjournment will enable all delegates to remain in attendance throughout the business session.

There are other procedures that we employ in attempting to use our time efficiently. For example, the chair will attempt to eyeball the number of paddles and try to determine the count or the way the vote is in order to determine the action on a particular issue. I would ask all delegates to refrain from calling for a vote count unless one seems necessary to determine the disposition of an issue.

If the delegates intend to debate an issue, we ask that they be at one of the microphone locations and prepared to speak when the motion has been made and seconded. If the chair sees no one at a microphone, the vote will be called as quickly as possible. On bylaws issues, the chair will call for the vote in the same division sequence each time. The results of the division votes will not be announced until all have voted.

Each active member institution may have three accredited delegates—one voting and two alternates. They may exchange the voting privilege among them because all have been approved as voters by their institution. Active members also may have visiting delegates if they desire. But those visiting visitors may not participate in the Convention proceedings in the terms of speaking or voting. So they do not have the right of speaking or voting.

Allied conferences, which have voting privileges in accordance with Constitution 4-3-(b)-(2), have the same voting and speaking rights as active members. An allied conference that does not have the vote that any affiliate organization had, may have one official delegate who is permitted to speak but not to vote.

Please be reminded that the business sessions will begin promptly at 8 a.m., as I indicated earlier. They will begin with consideration of two consent packages. We will check to see if there is any objection to those packages. If not, we will go ahead with them. If there is any debate on any item, we will withdraw it from the package.

Those packages are designed to include only noncontroversial or housekeeping proposals and will be voted on as a package of amendments unless a delegate requests that proposal to be removed for a separate vote.

I should like now to identify for you the several Convention

committees and to introduce their chairmen. The Nominating Committee is chaired by John Toner from the University of Connecticut.

The Committee on Committees is chaired by George King of Purdue University. The Voting Committee will be handled by Brig. Gen. Philip Erdle of the U.S. Air Force Academy.

The Committee on Memorial Resolutions is chaired by Jack Patterson of Baylor University. The chairman of the Committee on Credentials is T. H. Anderson from Northern Arizona University. These committees are appointed by the Council and are listed in your program.

In accordance with our procedures, the report of the sports committees and the general committees are not presented orally but are included in the Annual Reports. You received a copy of that publication when you registered. The report of the secretary-treasurer also is presented in that publication, as is the report of the Executive Committee.

At the beginning of the final business session tomorrow morning, we will entertain a motion to receive all these reports so you will have a chance to review them. If you have any questions, they can be put to appropriate individuals on the staff, the Council, the Executive Committee or the secretary-treasurer.

Now, at this point in the agenda, we want to move to the report of the NCAA Council, and I am going to ask John Toner, director of athletics at the University of Connecticut, and Vice-President of District 1, to present the report.

2. REPORT OF THE COUNCIL

John Toner (University of Connecticut): Mr. President and members of the Association, it is my privilege to appear before you this afternoon to present the annual report of the NCAA Council. The NCAA constitution provides that the establishment and direction of the Association's general policies between Conventions is the responsibility of the Council, which is composed of 18 persons. This report is to inform you of the Council's work during the past year.

You will find the abridged minutes of the 1978 Council meetings in your copy of the 1977-78 Annual Reports. If you will read those abridged minutes, you will have a relatively complete summary of the Council's deliberations during the past 12 months.

There have been certain major topics during the past year that deserve special mention in this report. I will attempt to touch upon those briefly.

Women's Athletics and Title IX

One of those major topics has been women's athletics and Title IX. I will not dwell on the subject in this report in view of the fact that the general round table is devoted entirely to that matter.

I would report, however, that the NCAA Committee on Women's Intercollegiate Athletics has been meeting with its counterpart from the AIAW during the past year regarding possible approaches toward commonality of rules for male and female student-athletes.

House Subcommittee Investigation

Throughout 1978, the Council has devoted many hours of attention to the investigation conducted by the House Subcommittee on Oversight and Investigations regarding the NCAA enforcement procedures. That investigation began well over a year ago, and hearings were held sporadically from February through September. The subcommittee's report recently was released to the public.

The report sets forth 18 recommendations by the subcommittee majority. Of those, the subcommittee minority agrees—totally or in part—with 13. Importantly, the NCAA Council or Committee on Infractions undertook responsible action on nine of those—in most cases without reference to the investigation itself. Despite some reason to do otherwise, the NCAA Council has considered the recommendations in an open-minded manner and has taken or supported actions on those recommendations which, in its judgment, would represent genuine improvement in the NCAA enforcement program.

Again, I would call your attention to the abridged Council minutes in the Annual Reports. You will find that the investigation and the enforcement program in general were a major topic in each of the Council's scheduled meetings during 1978.

In addition, the membership received a detailed commentary and review of the investigation in the form of a December 6 letter signed by President Thompson. We will not attempt to repeat that information in this particular report.

The Council would like to comment on one recommendation included in the subcommittee's public report today. That is the matter of forming a "blue-ribbon" commission or committee to study the enforcement program further and presumably, make recommendations for additional changes in that program. The subcommittee minority did **not** agree with that recommendation, and neither does the NCAA Council.

The Association's enforcement procedures have been reviewed on numerous occasions, both internally by various NCAA committees and externally by the Federal courts. In addition, the lengthy Congressional investigation itself has focused on the enforcement procedures in great detail for some 12 months. To appoint an additional committee to review the same subject at this time would, in the Council's view, be unwarranted and wasteful.

It is the Council's position that all relevant information related to the structure and policies of the enforcement program have been reviewed and discussed in detail in recent months. It is our view that it would be in the best interests of the Association to move on.

State Court Issue

It has become increasingly apparent that some members prefer to utilize the procedures of a presumably friendly state court to thwart, or at least unduly delay, the application of NCAA rules or penalties. This effect can be observed in a pending case in Reno, Nevada, involving a basketball player and in a case which was filed in Las Vegas, Nevada, involving a basketball coach. Previously, we have observed inordinate

delays in concluding cases in Mississippi and California.

The Council is exploring possible changes in NCAA procedures which might tend to alleviate this problem.

For example, we have discussed the possibility of requiring the member to cooperate in the removal of such cases to the Federal courts. Another possibility would be direct action by the NCAA relative to the student-athlete or athletic personnel. The Council will continue to explore these and other suggested solutions.

U.S. Olympic Committee

As you know, the NCAA rejoined the U.S. Olympic Committee in April 1978. We did so because of the adoption of specific changes in the USOC constitution. Generally, the Council has been pleased with the relationship developed since that time between the NCAA and the leadership of the Olympic Committee. Several NCAA representatives have been appointed to and have participated in important USOC operating committees; and, in the judgment of the Council, the cooperation between the USOC leadership and the NCAA has been productive.

On the other hand, we are deeply disturbed with the decision last month by the USOC Executive Board to disregard the USOC's own constitutional procedures by refusing to recognize the arbitral award establishing the U.S. Wrestling Federation as the national governing body in that sport. In our judgment, the decision by the Executive Board raises serious questions concerning the commitment of the USOC's principal governing body; not only to the requirements of the existing USOC constitution, but also to the provisions of the Amateur Sports Act of 1978 that was signed by President Carter in November.

The Council hopes that the USOC Executive Board, after further reflection, will recognize the serious damage done to its integrity and not only will reverse its December action regarding the U.S. Wrestling Federation, but also will endorse USOC constitutional amendments to bring the USOC structure into line with the requirements of the Amateur Sports Act. The NCAA Council intends to examine the actions of the USOC Executive Board in the months ahead to determine whether the USOC commitments that formed the primary inducement for our rejoining the Olympic Committee are, in fact, carried out by the USOC membership.

Membership Classification

The Council has considered numerous matters relating to membership classification during 1978—and, of course, implemented the new Divisions I-A and I-AA football classifications early in the year.

A number of proposed amendments in your Convention Program reflect the fact that the divisions of the NCAA continue to attempt to refine their identities, in terms of both philosophy and specific membership criteria. We hope that ultimately this process will provide the opportunity for each member institution to select a classification to accommodate its needs and resources.

Such proposals as Nos. 43, 44 and 45 on this year's agenda provide

what the Council believes are helpful approaches to the goal of assuring that member institutions can select divisions compatible with their resources and athletic philosophies.

IRS Ruling

The question of the taxability of college sports broadcast income was raised more than two years ago, specifically involving IRS regional office audits of Southern Methodist University, Texas Christian University, the University of Kansas and the Cotton Bowl Athletic Association. Those institutions, the Southwest Athletic Conference and the Cotton Bowl Association, supported in a number of ways by the NCAA, took the leadership role in representing the college community on this issue, expending a considerable amount of time and money.

That effort resulted in a favorable ruling by the IRS nationally, stating that broadcasting sports events contributes importantly to the universities' tax-exempt purposes and, therefore, is nontaxable.

It should be emphasized that this ruling benefits many institutions, not just those which appear on network television and in bowl games, because an adverse ruling would have affected all radio and television broadcast rights fees for college sports events.

Other Activities

Before I close, let me report that the Council was pleased to receive the report of the Television Committee that college football attendance was up for the season, particularly in Divisions II and III. Team participation on the national television series increased 38.2 percent, and all but two of the 18 Divisions I-A and I-AA football conferences were represented on the series in 1978.

The Television Committee also has advised the Council of interest on the part of at least two cable television companies in packaging programs featuring college sports and NCAA championships. The committee is studying the companies' proposals and will report details to the Council and Executive Committee as they are developed. We alert the membership to this important development, which primarily will be helpful in promoting sports which as of now do not receive very much over-the-air exposure. Further information will be sent to the membership as these plans develop.

I also would call your attention to two outstanding NCAA programs benefiting the youth of the nation: the National Youth Sports Program and the Volunteers for Youth. The NYSP report appears in the Annual Reports, and you will find references to the VFY program several times in the abridged Council and Executive Committee Minutes.

Each year, the Council spends an appreciable amount of time in each of its meetings considering interpretations of NCAA legislation. The Council is charged with that responsibility between Conventions. When the Council approves an interpretation, it is binding upon the membership in accordance with the provisions of Constitution 6-2.

Mr. President, that concludes this report of the NCAA Council. Since this oral presentation is only a summary, and since the abridged minutes contain the bulk of the Council's record for the year, I would recommend that the delegates read those minutes in the Annual

Reports. They then will be prepared to vote on a motion tomorrow morning to accept and approve the full report of the Council.

3. REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS.

Jack Patterson (Baylor University): First, I should like to introduce the members of the committee. They are Earl C. Banks of Morgan State University and Arthur C. Nicolai of Nebraska Wesleyan University.

As you know, many friends have been called from our midst during the past year. I am equally sure that many of you know that every name I read today will bring back many fond memories for the men in this meeting here this afternoon.

The individuals who have passed away since our last meeting and we honor today are:

Hunk Anderson, University of Notre Dame
Louis V. August, University of Idaho
Joe Bedenk, Pennsylvania State University
Hubert E. Bray, Rice University
Franklin Brooks, Georgia Institute of Technology
Forrest William Clonts, Wake Forest University
George Cole, University of Arkansas
Richard K. Cole, University of Rhode Island
Edward F. Flanagan, Howard University
Bill Hess, Ohio University
Paul Lambert, Auburn University
J. Thom Lawler, Merrimack College
Thomas A. Murphy, Seton Hall University
Carl Olson, University of Pittsburgh
David Reese, Mid-American Conference
Harry J. Rockafeller, Rutgers University, New Brunswick
Richard W. Siebert, University of Minnesota, Twin Cities
Jack C. Simmons, University of Detroit
Vio Napoleon Vitale, Massachusetts Institute of Technology
Raymond Didier, Nicholls State University
Kenneth Lampy, South Dakota State University
Thomas McLennan, Massachusetts Institute of Technology
Jack Moobery, Washington State University
Johnny Oelkers, Tulane University
Gordy Serr, Michigan State University

If you don't mind, may we all stand for a moment of silent prayer.

[The assembly arose in a moment of silent prayer in memory of these departed colleagues.]

President Thompson: Thank you very much, Jack. This concludes the opening session. If you wish to relax for just a moment, please do so, but don't leave, because the round table will pick up in just a few moments.

[The Convention was recessed at 3:30 p.m.]

GENERAL ROUND TABLE

Monday Afternoon, January 8, 1979

The general round table convened at 3:30 p.m. in the Grand Ballroom, with NCAA Secretary-Treasurer Edgar A. Sherman of Muskingum College presiding.

Secretary-Treasurer Sherman: I would like to welcome you to the general round table. I have introductions I would like to make of two individuals who are on the platform, but will not make presentations. They are here as consultants. First is Bill Kramer of the Squire, Sanders & Dempsey law firm. The other is Tom Hansen of our own NCAA staff.

Ladies and gentlemen, the 1979 general round table will be devoted to an important topic, the implementation of Title IX.

As you know, the law which created Title IX was passed in 1972. No one in college athletics at that time probably was aware that the law would have any application to college athletic programs. However, the draft implementations and regulations emerged in late 1973, and purported to authorize Federal direction of college athletic programs. Even now, five years later, there still remains the unanswered legal questions of whether Title IX applies to college programs which do not receive Federal financial assistance.

Last month, further questions were raised when the new policy interpretation was issued. The new document uses per-capita expenditure as a requirement in new regulations, and the testimony of the previous Health, Education and Welfare (HEW) secretary denied equal expenditures as a Federal demand.

Before introducing the speakers who will discuss various aspects of the policy interpretations, let me review briefly the history of Title IX and provide some of the background which has brought us to the current situation, where the secretary of HEW says strict enforcement of its provisions will be initiated with the beginning of the next academic year.

In 1975, HEW issued for review by Congress implementation regulations that demanded "equal opportunity for women student-athletes." At that point, HEW had adopted the position that per capita equalization programs was unrealistic. HEW stated in the regulations, and I quote, "unequal aggregate expenditures for members of each sex or unequal expenditures for male or female teams will not constitute noncompliance with the section."

HEW Secretary Casper Weinberger testified before a House subcommittee in June 1975; and he was quoted as saying, "The regulation does not require equal aggregate expenditures for members of each sex or for male and female teams. It does not require equal monies for athletic scholarships."

Secretary Weinberger went on to stress, "The regulations do not demand dollar-for-dollar matching expenditures for each sex." Next, an HEW representative stated, and this is a quote from, I believe, Steven Kurzman, who at that time was the assistant secretary of HEW for legislation, "The department has fought to avoid setting standards or using endorsement methods under which Title IX would make compliance dependent upon financial analysis, reviews of athletic budgets, the flow or earmarking of funds and the equitability of fund distribution between men and women's programs."

Also in 1974, HEW was authorized by the so-called "Javits Amendment," to include in its regulations with respect to intercollegiate athletic programs, "reasonable provisions considering the nature of particular sports." Meanwhile, the colleges of the nations were hard at work improving their programs for women, more than doubling the sports sponsored and participation by female student-athletes.

HEW now has issued a policy interpretation which, according to my reading, imposes an equal expenditure test, does not contain reasonable provisions considering the nature of the particular sport and assumes the nation's colleges have failed to accommodate the interests and abilities of their women student-athletes through an open-ended obligation to expand women's programs.

As many of you who have direct financial responsibilities, I look forward to receiving clarification on the policy papers that were distributed to all NCAA members December 13. The speakers I am about to present will provide necessary background information to enable each member institution to better analyze the policy as to how it will affect the institution's ability to comply with the regulations. The Council urges each member to file comments with the Office for Civil Rights of HEW.

Now, it is my pleasure to present President William E. Davis of the University of New Mexico. Not only will we have the benefit of his analysis of Title IX Policy Interpretation this afternoon, but we also will have an opportunity to recognize his work on behalf of higher education and intercollegiate athletics for men and women with HEW.

In July, he was named to the work group which was to develop the policy interpretation for compliance with Title IX by colleges and universities. From the first of August until the first of December, he spent four or five days a week in Washington—despite his presidential duties—trying to invoke common sense and educational reality into the policy interpretation.

This was an enormous personal sacrifice, symbolic of his support of sound educational and economic policies and his devotion to intercollegiate athletics.

The obstacles to realistic and logical thinking he faced within HEW were formidable. However, he was successful in convincing some of the top administrators at HEW that the implementation regulation—if overzealously interpreted and enforced—will be detrimental to both men's and women's programs, and to all of higher education. Because of his efforts, we believe there may be some flexibility in measuring an institution's compliance.

Let me assure you that the state of the interpretations do not reflect the quality of Bud Davis' work, but merely the entrenched thinking of HEW's cadre of young, female lawyers.

It is a sincere pleasure to present a good friend and active supporter of intercollegiate athletics, Bud Davis.

HEW Policy Developments Relative to Title IX

William E. Davis (University of New Mexico): Mr. Chairman, I thank you for that very nice introduction. That is the only nice thing that people have had to say about me in a long time. I am very grateful. I felt somewhat during the past few months like Charles II must have felt when the approached Parliament to sell them on the divine right of kings, or Calhoun defending slavery. I would like to introduce the visitors today who have been co-workers, including Mike Middleton, the chairman of the Office for Civil Rights (OCR) Work Group. Also, some of that "cadre" of female attorneys: Jean Peelen, a University of Alabama graduate, and Margaret Seymour, an American University graduate. They are here to hear the comments today and to get your views. I hope you take the time to visit with them.

One of the stories I have heard recently is that there are three statements that one hears but seldom believes. The first is the guy who answers the phone call and says, "Oh, yes, I just put your check in the mail today." The second one is the husband speaking to his wife saying, "Certainly, I will love you as much in the morning as I do tonight." The third one is, "The government is here to help you."

While analogies are dangerous, I feel the situation today is somewhat like the football team where the opposing team is on the three-yard line and the score is 63-0. There is one minute left in the game, and the players on our team are still in the huddle trying to decide what play they will call if we get the ball again. (Laughter) While the male population has been sipping beer and watching the Steelers and Cowboys and Oakland annihilate their opposition over the past few weekends, I have the uneasy feeling that the women have been on the telephone and writing letters.

Title IX is not a bad dream that will go away somehow. It is the law and it is the law now, and the enforcement date began July 21 of last year. The enforcement proceedings might be expected by September. In the past, in regard to Title IX and intercollegiate athletics, the struggle largely has been limited to the athletic establishment, including the NCAA and the AIAW. This time, in my opinion, there is and will be deep involvement by presidents and governing boards and the vast constituencies that make up our universities.

The message is getting through that Title IX is for real, that it will involve massive sums of money at a time of fiscal exigencies in higher education and that the financial base of a major collegiate activity may be in jeopardy. For some institutions it may well mean eliminating football. For others it will mean drastic cutbacks in men's programs other than football and basketball. Few schools will have the resources to maintain the men's programs at their current level and still provide for the guideline compliance.

Information and rumors over the compliance review at Weber State and the filing of or investigations of grievances at the Universities of Michigan, Illinois, Georgia, Kansas and others have swept the country. Institutions are apprehensive that the regulations and language of Title IX are such that the universities and colleges will be subjected to the whims of the multitude of OCR compliance officers. This is accompanied by a concern that the various HEW-OCR offices will not interpret the regulations in a consistent manner because so many subjective judgments are involved.

Even in institutions not regarded as big-time football or basketball powers, and with presidents and boards who never have been classified as jocks, there seems to be something unreal about a national policy that specifically involves the Federal government and institutional athletic programs that never have been the recipient of Federal funds.

Concern also has been expressed that thus far there has been little or no concern in the Federal regulations as to whether the colleges and universities have the money and the resources to do what may be required. The availability of resources and funds tend to be ignored altogether on the theory that the law demands equality and it is up to the institutions to find a way to fund that equality.

As a point of fact, most institutions are struggling to finance their existing athletic programs in this time of financial retrenchment and inflationary costs, and are hard pressed to meet existing demands, let alone expansion that ultimately may involve almost doubling their expenditures.

On the other end of the spectrum, some of the critics of the Title IX interpretations contend that the reason sports like football and basketball enjoy large appropriations is due not to the special nature of those sports or the absence of any comparable activity for women; but, rather, it is a result or perpetuation of the single most significant example of sex discrimination. That HEW is exonerating these sports from the proposed ratio calculations is, some critics believe, permitting that bias to thrive.

Title IX is a key issue in the women's right movement. Hence, protest that the law is unreasonable often falls on deaf ears. The women point out to what they regard as a hundred years of discrimination, even comparing it to slavery or racial discrimination. Many believe it is a prima facie case where out of a \$3 million budget for athletics, the women's expenses are only \$300,000.

They believe equal is equal, and equality will be achieved when there are equal numbers of participants and when resources are divided and shared equally. There is an attitude that universities can come up with the funds if they want to. On the other hand, if schools want to insist on continuing extravagant expenditures on football and basketball, then the women reason they can do the same for women.

Participation for women in athletics had quadrupled since the decade began. In many institutions, so has the financing. The increase in participation in the expansion of women's sports did not take place in a vacuum. I think there has been tremendous support and interest and massive increases in expenditures and in institutional budgets. In many

instances, these budgets have grown far more rapidly than any other single item in the total institutional budget.

In many cases in budgets that I have analyzed, the expenditures for women's sports do compare favorably to those expenditures in men's sports other than football and basketball. In most of our institutions, looking again at many university budgets, I would say there is not equity in the men's program, that there are great discrepancies or distinctions or discriminating judgments used in terms of the allocation of funds.

There are very few institutions that fund the men's tennis program, the men's swimming program and the men's gymnastic program on the same scale and with the same emphasis as they fund the football and basketball programs. Many have athletic scholarships concentrated on the fields of football and basketball, while the other men's sports are characterized as "partial rides." To many administrators whom I have talked to, the immediate goal of raising the women's expenditures to the level of the men's most fully developed sports does seem unreasonable.

As has been mentioned, Title IX dates back to 1972. The December 6, 1978, release of the current guidelines and interpretations provided for two months for response by the institutions and interested parties throughout the country. I promise you these responses will be reviewed in detail at that time, because I think HEW and OCR and the people that I have worked with (including David Tatel, who is the Director of the Office for Civil Rights) are especially and intensely interested in finding out how you perceive these regulations, how they will affect the individual institutions concerned, what the fiscal impact will be in specific terms, what adjustments you will have to make and what suggestions you have for the modifications.

If there is one thing I would like to say today, that is I hope every institution represented in the NCAA will analyze the guidelines, interpret the impact on your individual institution and communicate your response to OCR and HEW; because these will be taken into consideration. They will be reviewed thoroughly before the document is finalized.

When the announcement was made on December 6, the release confused many people because it was interpreted in a lot of the headlines and in the stories and excerpts which I read, and the commentaries on radio and television, that football and basketball had been exempted.

People gave a big sigh of relief. But this is not so. Football, or any other sport, is not exempt. What the media was referring to in the release and HEW was referring to in the document itself, was that in some cases reasonable provisions will be made for financially measurable benefits, considering the nature of the sport, the level of competition and the extent of the program. However, in the area of financial aid, the regulations clearly state that there are no exceptions. This means that if you have \$400,000 in financial aid for men and 200 male participants in your total athletic program, the average financial aid for each man would be \$2,000.

To provide proportional financial aid for women, this is how it may be calculated. If you have 100 women, you can multiply the 100, or number of women participants, by the amount of average financial aid for men, which will be \$2,000. The financial aid for women in this case would be \$200,000. The impact of the equal financial aid mandate will be a sizeable cost adjustment for every institution.

State institutions in some ways will be better off than private institutions, particularly in those states where the tuition and fees are waived, or there is some provision by the legislature to help support the athletic program. The hardest hit, in my opinion, will be the institutions with high tuition and fees. The adjustment costs could run into many hundreds of thousands of dollars to provide the proportional financial aid benefits for the women. I think that this adjustment is also going to have a tremendous impact on Division I-AA and Division II schools. It will have a lesser impact on Division III institutions, which base the financial aid on need, and many of which have no financial aid programs.

Any institution that has a financial aid program is going to face a significant adjustment in expenditure.

Other financial measurable items that specifically will be scrutinized by OCR reviews will be in the areas of recruiting, travel, equipment and publicity; but the reviews will not be limited to those areas. These items specifically will be looked at, but the list may at some time or another include more. The interpretations are open-ended in that respect.

Some institutions I have talked to have made the assumption that in travel where you charter, say, six airplanes for six trips and the cost is \$120,000 for football, that automatically you would exclude the total football travel budget. This probably, in my opinion, will not be the case. They (OCR) will analyze each expenditure on travel, trip by trip, to see whether it is a legitimate expenditure and whether it falls in the guideline for exception; or whether this should be considered as a part of the total average. So, don't count on excluding any totals by a sport just on the basis that you have that particular sport.

The same principle is going to be true in recruiting. In dealing with recruiting, the guidelines cover the fact that there are differences in competition and differences between national emphasis for recruiting and local recruiting. These things will be considered, but the burden of proof will be on the institution to defend its reasons for departing from the guidelines. In these financially measurable areas, an institution will be judged to be in compliance if the expenditures for women are proportionately the same as they are for men in regard to the total participation.

There will be some exceptions. These were the ones that were addressed in the guidelines in which the nature of the sport will make a difference. These exceptions will be taken into consideration. But the task of proving that the exemptions are worthwhile will come back to the institutions.

There will be some other factors in the guidelines that are going to cause significant increases in expenditures. One is not in what they (HEW/OCR) call the financially measurable items, but in coaching.

The institution is required to provide comparable coaching opportunities. Here, the total full-time equivalent of coaches is important. You can get a quick estimate of your own institution if you take the total number of male participants and divide that by the number of coaches, and thus determine the ratio of athletes to coach. This, then, will be the guideline for the women.

In my estimation, most institutions in Divisions I-A and I-AA are going to have to increase their coaching staff by as many as two to five full-time women coaches in order to meet the compliance guidelines. This additional cost is going to range from \$50,000 to \$200,00.

One of the big concerns that has been expressed by many people whom I have talked to is the fact that participation is not defined but is left up to the institutions themselves. The concern here is, by not defining participation and by having conflicting and different Association rules pertaining to athletics, participants can be defined in a number of ways. For example, take a track participant. You may have 30 participants on the male track team participating in cross country in the fall, indoor track in the winter and outdoor track in the spring. These participants can be counted as 30 for track; or they could be counted as 90, depending on how you want to look at it.

Multiple participation or participation by an athlete in more than one sport will have to be determined by the institution as to how participants will be counted.

Also, an institution has the possibility of establishing varsity, junior varsity, lightweight and freshman teams, all with intercollegiate schedules. In these cases, does this increase the number of participants who are counted in determining the institution's total participation? If, for example, your average expenditure for the male athlete should be \$5,000, then you have virtually an open checkbook on the other end—because for each female athlete who participates you will be adding \$5,000; and the meter will keep running.

The second part of the draft addresses what might be referred to as the affirmative action concept, where the burden of proof is that institution must demonstrate that it is accommodating the interest and ability of the women athletes through the sports programs that it offers.

If it cannot demonstrate that it is accommodating those interests, the institution must have a plan to show what it is doing in terms of promotion at feeder institutions (namely, the high schools) or what it is doing to promote the intramural or club sports on the campus to upgrade them to varsity intercollegiate level.

So, at the present time, your original cost figures will be based on existing participation but with the expectation that the programs for women will increase in numbers of participants and numbers of sports—in which case you would have near comparable expenditure levels with the exception of those differences which have been outlined.

The impact for most Division I-A schools (and I looked at probably five to 10 budgets in detail), ranged anywhere from \$200,000 to \$600,000 beyond what these institutions are expending now. Those institutions with high participation rights (and I see my friend John Schwada from

Arizona State, which has one of the outstanding women's athletic programs in the country) because they have a large number of participants and that meter is running will have a considerable financial burden as they move into compliance.

In making predictions as to what are some of the things that will happen, it is my opinion that intercollegiate athletics has shown little actual growth in resources over the past few years. Most institutions are doing all they can to maximize gate receipts and gifts. I predict that if forced to provide equal per capita now for women, most institutions will choose to protect their revenue sports. Thus, the bulk of the reallocation of funds will come from other men's athletic programs.

To some degree this already has occurred as institutions have made adjustments over the past five years. This trend may be a matter of economic reality rather than philosophy.

I also predict that at some time stronger consideration will be given to legislation introduced in the NCAA to base all athletic financial aid on need or, as an alternative, to limit such need to tuition and fees plus need.

This measure and other steps such as reducing the size of the football squad, the number of coaches and so forth, however, will not begin to generate for most institutions the substantial funds needed for the adjustment for compliance.

Further, I predict that to facilitate men's and women's athletic programs, and to even approach compliance, a common set of rules and regulations and a common governing association ultimately will be necessary. Separate governing organizations for men and women, often with conflicting sets of rules and disparate philosophies, is sheer nonsense if common measurements are to be applied. That is strictly a personal opinion.

If in the final judgment, HEW-OCR mandates equal per capita expenditures for men and women, what are the options of a given institution?

Obviously, if it refuses to abide by the regulations or ignore them, it invites the dropping of the HEW equivalent to the atomic bomb. Given the impact of Federal aid for needy students or substantial research grants or contracts, few institutions can afford to use the route of defying the regulations. When it comes to jeopardizing a \$6 million cancer research grant or a \$12 million student aid program to go to war to save football and basketball, there will be little choice.

To many university administrators and faculty, however, the price of Federal assistance has become a nightmare of centralized control by Washington. Although local funding continues to be the chief support for education, institutions have become so dependent upon Federal funds, particularly to aid disadvantaged students and for basic and applied research, that many long ago have surrendered a great chunk of autonomy.

On the whole, colleges and universities may have no choice but to comply. As I said before, this could mean massive increases in athletic funding or cutbacks in many programs. Many will choose to fight the

battle on legal grounds, often in lonely isolation, as one by one they are in legal compliance or cited for noncompliance. Or collectively they may seek relief by attempting to modify the law and the regulations and interpretations.

If an institution chooses to comply, what are the options?

One option often mentioned is to cut the emphasis on major sports, football and basketball, leveling them down to characteristics of other men's sports.

This would be cheered by a portion of the women who have denounced what they have characterized as crass commercialism and overemphasis in men's sports.

Some colleges and university presidents have envisioned this deemphasis as a worthy goal and would welcome reliance upon a Federal mandate to get the football alumni off their backs and their programs back in hand.

Those faculty members who have viewed athletics as a competitor for institutional funds envision an en masse transfer of those athletic budgets to the instructional sector. And those who think intercollegiate athletics have no rightful place on respectable campuses, anyhow, would hail this as an academic progress.

But, if as advocated by some who see the solution to the economics in sports as being substantial reductions in football costs by going one-platoon football, the savings may not be all that impressive. An accompanying loss in revenue, which many predict would result, might easily exceed the cut in expenditures.

The NCAA has said a substantial curtailment of revenue sports drastically would affect both men's and women's opportunities for basic intercollegiate athletics.

The argument that if all men's football and basketball were leveled down together the gate receipts and spectator appeal would not suffer because the competition would still be the same I regard with great skepticism. Reasonable economies in football and basketball could and should be effected, but they are not a simple solution to providing equal per capita funding for women.

A second option would be to eliminate revenue sports altogether and sponsor only those sports supported by student fees, legislative appropriations, gifts and general university funds. This would wipe out many programs that are dependent upon gate receipts for near total support.

A third option would be to keep the current revenue sports at their present level, eliminate all other men's sports and transfer the latter's budget to the women's program. This would protect the current level of income. In most cases, however, it also would immediately equalize the number of men and women participants. Consequently, an institution's total expenditure would have to be the same, so you wouldn't have changed anything. Without additional cuts in the men's basketball and football, it would equalize the per capita funding.

Yet a fourth option would be to keep the men's sports at or near their current level of expenditures and income, and add the necessary dollars to the women's program to achieve per capita equity. This choice offers

a variety of approaches which might be utilized individually or collectively, namely:

(a) Increase the revenue from gate receipts in football and basketball to cover the added expense of women programs. Most institutions, however, try to maximize gate receipts at present.

(b) Promote women's athletics with the hope that women's sports will generate the needed revenue. As men's sports have shown, however, mere expenditure does not guarantee spectator interest or attendance. Women's basketball has some potential for revenue but generally may be years away in generating significant gate receipts. It is difficult to speculate that other women's sports have much revenue potential given the comparable financial history of men's sports other than football and basketball.

(c) Raise the student fees, and if there are none, impose them. Presidents know how this will be greeted on campus.

(d) Transfer funds from the general operational budget. Under present financial exigencies, the faculty's reaction to this concept would make the proposed student fee pale by comparison.

(f) For state institutions, get the legislature to appropriate funds or to increase funds for athletics. In those states that prohibit this for athletics, this will be a real challenge.

(f) Dip into the endowment

(g) Solicit private gifts for athletics, or transfer funds from existing development programs. This, too, will be a selling job.

Clearly, if the equal per capita expenditure becomes a determining guideline, an institution has many options, and even options within options or a combination of options. Most of them come back to either subsidy increases in funding or reductions in scale and nature of existing programs.

The next speaker, Phil Brown, will cover some specific points in regard to the legal aspects of the Title IX interpretation document as it is now. I have been asked to come back following his presentation to moderate and receive questions or comments from the floor. This is a very complex topic and I tried to hit on some of the high points and the implications. If there are things that you are particularly concerned about, we will address those.

Secretary-Treasurer Sherman: Thank you. The next speaker is Philip B. Brown, a partner in the law firm of Squire, Sanders & Dempsey and managing partner of its Washington, D.C., office. Formerly it was Cox, Langford & Brown.

Mr. Brown has been Washington counsel to the NCAA since 1964. As such, he and his colleagues have guided the Association legally through many difficult challenges. He is a graduate of Wesleyan University, where he is chairman of the Board of Trustees; and he attended Yale Law School.

Legal Overview of Title IX Issues

Philip B. Brown: I am pleased to be surrounded by experts on this subject, because I rather suspect I was asked to participate in order to

prove there is one still alive who remembers when Title IX was just germinating in the United States Congress and who has seen it extend its tentacles in the fashion it has, and in doing so create the confusion that it has created. You would think after seven years of statutes and proposed regulations, interpretations, lawsuits, opinions, explanatory memorandums and various guidelines and proposed policy interpretations, there would be some understanding of what Title IX means and what one has to do to comply with it.

But I am afraid that as we have gone back into preparing an analysis of the proposed policy interpretation, I can only sympathize with laymen who have not been working alone on the legal issues over the years in their concern that they thought it meant one thing on an earlier date and find now that it looks like it means something different at a later date.

First, I think we ought to clarify and separate certain things. One is, what is the law? As it concerns the issues that we are discussing here, the law consists of a very brief portion of the original law, the 1972 Title IX law, which says, "No person in the United States on the basis of sex be excluded from participation in, be denied the benefits of or be subjected to the discrimination under any education program or activity receiving Federal financial assistance."

The second directly relevant portion of the law is the so-called Javits Amendment, which was enacted in 1974 and says the secretary shall prepare and publish not later than 30 days after the date of the enactment of this act, proposed regulations implementing the provisions of Title IX of the educational amendments of 1972 relating to the prohibition of sex discrimination in Federally assisted education programs, which shall include with respect to intercollegiate athletic activities reasonable provisions considering the nature of particular sports.

Now, because this is a Federal statute that requires implementing regulations and explanations by a Federal agency, when we talk about the law we are talking about not only those two directly relevant portions of the Federal statute, but also the regulations with which I believe most of you are reasonably familiar and were enacted in 1975 by HEW, and now the new proposed policy interpretation with which you have only recently started to become familiar in December 1978.

Having stated what the law consists of, I would like to separate our approaches so that you are not confused when we talk about one approach or opinion vs. another. We have taken the position consistently from the beginning that those words that I read to you, "Any education program or activity receiving Federal financial assistance" mean what they sound as if they mean, that the program to be covered by this law must be one receiving Federal financial assistance.

So far as we are aware, this has not been true of the programs of intercollegiate athletics. I don't believe that Congress, at the time it enacted Title IX, gave a passing thought to the question of whether the scope of that statute should be considered to include intercollegiate athletics. I don't think that if you look in the legislative history that you can find anything that would not only answer the question one way

or the other but would indicate that they thought much about it.

There is an attempt to stretch a passing remark by Senator Birch Bayh about not trying to ruin football or desegregate football into some kind of attempt to focus on intercollegiate athletics as a portion of the scope of this law. I don't think it was any such attempt. Nevertheless, the law must be interpreted in its exact words and must be interpreted in accordance with regulations and policy implementations that are issued thereunder when issues about what it means are raised.

Over the years since the enactment of this statute, the various secretaries of the Department of Health, Education & Welfare have asked their general counsel in each case to advise whether, in his opinion, this statute did cover intercollegiate athletics. I do not have written copies of more than the most recent opinion of the current general counsel of HEW, but the position stated to us by the predecessor and the position that he has taken in a written opinion are the same; namely, that despite the wording I read to you intercollegiate athletic programs are covered by this statute.

Now, in our opinion, it takes quite a few stretches of the law in order to get to that conclusion. I think it is natural that an enforcement agency, full of good intentions about reforming programs and achieving social objectives, would face such expansionary views in their approach. But, nevertheless, I think the intellectual gymnastics that are taken are subject to serious question. Basically, the approach is that if a student receives a scholarship grant or loan money from the Federal government, that constitutes financial assistance to the institution; and since the intercollegiate athletic programs are so related to any other programs of the institution, aid to a student-athlete that participates in this program gives the regulatory agency authority over this program as well as over any other program that receives a direct Federal grant.

This kind of a stretch is subject to challenge in court. When the NCAA went to court more than two years ago, we did challenge this issue. To date, that case remains pending. That issue has not been addressed by the court, and the issue that was raised by other parties against the NCAA was that the NCAA does not have standing to raise these questions because it is not an educational institution directly affected by this law and these regulations.

The Federal District Court so ruled against the NCAA and that issue is now on appeal to the Tenth Circuit. It obviously would be a faster way of getting to a judicial resolution of that kind of issue if educational institutions were raising it directly in proceedings of their own. Having distinguished what the last copies have and what differences in attitude there are between at least ourselves and the government, and perhaps many other parties, let me now get to the third aspect of this legal problem, the athletic policy interpretation issued in December 1978.

Whatever we think about whether this law does or doesn't cover intercollegiate athletics, we are forced during this time, short of any favorable ruling on that question, to assume that it does; because the regulatory agency says that it does. And we must address ourselves directly to the rules and regulations they have issued as their way of

explaining how they will enforce this law. Now, the first thing that jumps out to many of us, as Ed Sherman said in his introduction, is that many of the rules now enunciated are at variance with the rules that were enunciated in 1975 in the regulations.

Accordingly, we have started from that point in a memorandum that should be at the seat of each one of you here today, a memorandum called, "Analysis Of Proposed HEW Title IX Athletics Policy Interpretation." I don't intend to read every word of it; but I do think that in order to avoid further confusion and to be sure we are all talking from the same understanding what the paper says, it will be helpful if you will bear with me while I quickly summarize it and read parts of it as we look at it together.

In the opening paragraph, we mention that this proposed interpretation has been issued and that it contains an expenditure test which is at variance with the Title IX regulations, both by the terms of those regulations and as they have been interpreted and explained by HEW to the Congress and the public at the time it was issued. This is a point, as I said, that Ed commented on. Now, the significance is that in our mind it raises a legal question as to whether the policy interpretation has been validly issued.

If this interpretation constitutes such a change in the regulation that it should have been issued as a revised regulation, we think the procedures followed have not been sufficient to achieve that objective. Therefore, we have raised that little red flag at the outset. That doesn't mean that the HEW couldn't do it right if it were to do it right, it is just a question of whether they have, in fact, done it right in this instance.

In summarizing the policy, I will try not to repeat too much of what Bud Davis has said. But, please understand there are two sections to it. The first part prescribes two basic compliance standards, the first of which is an equal per-capita expenditure test. Higher education institutions would be required to expend equal average per-capita amounts of money for all "readily financially measurable benefits and opportunities" provided to student-athletes of each sex including: (1) financial assistance awarded on the basis of athletic ability, (2) recruitment, and (3) "all other readily financially measurable benefits and opportunities."

Now, it is made clear that the financial assistance point is treated separately; and, secondly, the recruitment point is treated separately. Items lumped under (3) are treated together. The average per-capita expenditures are going to be calculated by dividing total expenditures or financially measurable benefits for each sex by the total number of participating athletes of that sex.

Someone raised the question whether you couldn't give some kind of a financial benefit to the dozens and dozens of other students in an institution. My response is that they must be participants in the program in order to fit into the numerical base from which this kind of average is computed. If they are legitimate participants, if there are ways of expanding the program by adding more people with small amounts of contributions so as to expand the total numerical base, that is a possibility worth considering.

Now, if the average per-capita expenditures are equal for male and female participants in intercollegiate sports, an institution would be considered to be in compliance with this aspect of the policy interpretation; and this puts the burden on the institution to establish that any disparities which exist are the result of sex-neutral factors such as "the nature or level of competition of a particular sport."

Now, a different standard is used for assessing Title IX compliance with respect to other kinds of things, such as opportunities that are not readily financially measurable. This includes opportunity to compete and practice; opportunity to receive coaching and academic tutoring; provision of medical, locker rooms, practice, competitive, medical, training, housing and dining facilities, and so forth. Here is the standard of comparability of opportunity.

While there are a number of specific tests that are used in assessing whether this standard is being met in particular areas, at least it is different from and not quite as hard and fast as the dollar figure in the first part where you are talking about an average per capita expenditure. Here we are talking about comparability of opportunity.

Now, the second part goes on to require that further steps be taken to promote the interests of women's sports; and it distinguishes between those cases where a policy or institution already meets it and the case where it does not meet it. In the case where it does not meet it, it explains what has to be done to promote this. This is a separate thing. It is effective at the same time as the first part is effective, but it is a portion of the policy that is to be carried out over a longer and future period of time.

We spell out what the criteria are there. Now, in analyzing what this policy is, we have made a few basic points as starters in your thinking. First, we remind you in the expenditure test all funds that are spent, regardless of the source of the funds, are considered and measured in that test.

Second, the use of the equal per-capita expenditure test as a measure of equality of opportunity assumes that the sports in which men and women participate require comparable expenditures; but at the same time this policy, in permitting defenses based on nondiscriminatory cost differences, implicitly recognizes that this assumption is invalid. So this is a case of your being guilty until you prove yourself innocent. The use of an equal spending test puts colleges in the position of having to disprove in an enforcement context a presumption of discrimination which will arise when no discrimination exists.

Third, the only types of expenditures that a college can be assured will not be considered "readily financially measurable" are those which are listed above which the policy specifically designates as "nonfinancially measurable." Although certain types of specific expenditures, such as athletic financial aid, recruiting, provision and maintenance of equipment and supplies, living and travel expenses related to competitive events and publicity specifically are designated as "financially measurable," this category of expenditures is open-ended. This is not a total list.

Now, No. 4. Nothing in this proposed policy expressly precludes

HEW from requiring higher education institutions to include many other types of expenditures, which together constitute a major portion of most athletic budgets, in the per-capita computation. They don't say so, but we are all on need when you start talking about the dollars that it takes to mount an intercollegiate athletic program. You are not just talking about the equipment, or the travel or the coaching, or even the financial aid to students. You are talking about what it takes to run the institution and what portion of what it takes to run the institution may be deemed eligible to this type program.

General and administrative expense allocations are very common things in all business context, and this issue has been left hanging here.

Fifth, there is no limit, other than total enrollment, to the obligation of colleges and universities to finance participation by additional female student-athletes at the average per capita expenditure level established by the men's program. If an institution spends, after excluding costs accepted by HEW as nondiscriminatory, such as travel expenses for a football team, an average of \$2,500 for each male participant in intercollegiate sports, it must spend the same average of \$2,500 on each female student who participates.

If 100 additional women participate, and I am assuming here the funding of the men's program is not reduced (which may be in some cases an erroneous assumption because that may be the only place where the dollars can be found), then \$250,000 must be spent on women. If two hundred more women were to participate, \$500,000 more would be spent. I suppose we are getting a little sublime here, but we will finally say if 1,000 additional women participate, that is \$2½ million more that must be spent.

So the question of how this applies in a given case depends on what numbers of dollars and of participants, and of women who may not yet be participating but wish to participate to give an institution what they are talking about.

Number six, if an institution maintains major football and basketball programs, the average per-capita cost of those sports will largely determine the per capita expenditure average to which female student-athletes will be entitled. As a result, unless the funding of the major men's programs is reduced or much of their cost is excluded as nondiscriminatory, colleges and universities will be required to spend far more on female softball or tennis players than they do on male baseball or tennis players.

This point is that you simply are not starting from equal circumstances with the males and females. You are starting from a history of the evolution and development of certain sports—football and basketball. They are of primary importance in men's sports. Of course, to some extent, basketball in women's sports is coming along very rapidly behind it. But the history has thrown this out of kilter for a Federal agency that wishes to ignore that history and simply start with the assumption that everything must be made equal.

Number seven, in identifying what types of factors may be recognized as nondiscriminatory justifications for expenditure differences, HEW omits certain important sex-neutral factors. First, cost differences,

such as the cost of travel. If you have to charter an airplane for a particular trip and you can't do it any other way, that kind of cost is recognized. But not revenue differences. Then the Califano statement, in the introduction of this policy interpretation, made note of the fact that there are major revenue differences among sports; but that was not explicitly taken into consideration as a nondiscriminatory item which could be deducted before you start applying these formulas.

Similarly, spectator interest is not recognized as a sex-neutral difference among sports. Finally, athletic skill is not recognized. I say "finally," but there are other things that we have not as yet set forth here that may well be important that are also nonexplicitly recognized. In that connection, I wanted to refer to certain wording in the proposed policy interpretation to show you the political problem—not just a legal interpretation problem—of trying to understand what is meant here as HEW talks about some of these items.

For example, I don't know how many of you have with you the proposed policy interpretation, but on pages 19 and 20, when it gets to talking about the eliminating of discrimination in existing programs, it says, "An institution is deemed to provide equal athletic opportunity in its existing program if substantial equal average per-capita funds allocated to participating male and female athletes." Then it lists three things: financial assistance awarded on the basis of athletic ability, recruitment and all other readily financially measurable benefits and opportunities. Now, following that appears this paragraph. "Provided, however, that differences in average per-capita expenditures for such financially measurable benefits and opportunities will be considered consistent with Title IX if the institution can demonstrate that the differences result from nondiscriminatory factors such as the nature or level of competition of a particular sport."

Now, that paragraph follows all those items—one, two and three. That is, financial assistance, recruitment and all the other financially measurable items. There may be a question as to whether it refers to all of them. But it will appear in context that it does. Assuming there is no question about that, what does the institution wishing to defend itself think it can make of the words "If an institution can demonstrate that the differences result from nondiscriminatory factors such as the nature, legal competition of a particular sport." Those words are direct lip service to the Javits Amendment. They have been thrown right into there so the agency can say, "Yes, we have looked at the Javits Amendment as well as the basic law." But I can't tell you, and I don't see how a person who is analyzing the finances of your institutional program, could tell you exactly what that means.

You will be entitled to take into account as sex-neutral cost differences when the agency has not seen fit to be explicit over more than cost items and has not been explicit as to some of the other items that we think are equally important, such as revenues, spectator interest, athletic ability, etc. Finally, our comments on aid said the policy does not contain specific provisions which adequately take into account the unique character of football.

This is the portion of our comment that relates to the remarks I was

just making. It doesn't cover such things as other elements of cost. The fact it is based on current participation rates doesn't help when those rates may change radically in the near future. It contains no specific indication that the unique character of football will be considered in calculating the financial aid problems of the colleges and universities. We think it should be. We think those words I just read to you from the Javits Amendment can reasonably be interpreted to permit that.

Whether it is political games or the desire to keep the sex-neutral factors limited to certain costs only, I don't know. I can only look at these words and give you our best view of them. Now, this per-capita expenditure test, which is new in this policy interpretation, is not something that HEW was required to adopt. Even their general counsel's opinion, which claims that Title IX applies to intercollegiate athletics even though it doesn't receive Federal financial assistance, does not go on to require this kind of a test.

It is simply a policy determination on the basis of HEW's responsiveness to the claims and assertions of women's groups going back to 1975. A lot of this tracks with the suggestions that were made by those groups then and since that time. The basic regulation requires equality of opportunity. It does not require the quality of personality or expenditure. Here again, I go back to what I tried to do at the outset, to distinguish between different points of view or arguments or opinions. As much as we may say we don't think the law should have applied to this at all and your original regulation said it applied to equality of opportunity and there is no need to have adopted a per-capita expenditure test, the fact is that this policy interpretation does adopt it for the items we have discussed. Therefore, is a factor of the law as the law sits there confronting us now with which institutions must cope and to which they must respond if they do not wish to have HEW take or to assume they have no problems with it.

The same point is made with respect to the athletic scholarships, that the regulation talks only about reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in intercollegiate athletics. But now the average per-capita expenditure test goes beyond that and requires that you show the actual dollars and that they match up for men and women.

The rest of our memorandum talks about the failure of this policy interpretation to be consistent with the position taken in the past for several years by responsive representatives of HEW as they elaborated the meaning of the regulations and told Congress of their position on various bills introduced since the Javits Amendment to attempt to modify Title IX. The most interesting aspect to me of that is that all these official representatives said we don't want this to get into a matter of equal dollars, and we do not want to get into the burden of having to analyze your financial budgets.

Well, it may be just a change in officials or a change in time and attitude, but it is a complete reversal because what they are doing now is precisely that.

Finally, we say on Page 9 this policy interpretation does not include

reasonable provisions concerning the nature of the particular sports. Now, I did flag you there with some words. I am now talking about the specific mention by HEW of individual items and not just the repeating of broad words. The policy should include this. We think it must include it.

We think the law on this is clear. We think that with the extent to which the interpretation has gone, to recognize that is grossly inadequate.

Now, at the end, we simply say, as everybody else has said today, that you will have until February 10 to make comments in response to this policy interpretation. After that, HEW will look at the comments and either will make changes or not, and will put this into a final form.

As Secretary Califano has said clearly, HEW will begin to enforce the final form in the fall of this year. Therefore, an institution may say, "Well, looking at this right now, what are the principal issues and what should we be thinking about?" Well, there may be several different answers to that by different people. Just to recapitulate the legal issues, at the present posture, we must see, first, whether HEW is authorized to regulate intercollegiate athletic programs which do not receive federal financial assistance.

Many argue that they are not so authorized. Making that argument to HEW is obviously ineffective. We are preserving our legal position on it, nonetheless. Secondly, we must ask whether HEW is authorized to regulate intercollegiate athletics if some athletes are participating in the guaranteed loan program or a recipient of the Basic Educational Opportunity Grant or supplemental grants. That goes back to the opinion of the general counsel of the HEW, who asserts if there are such loans or grants to a student that constitutes aid to the institution; and that is the hand which permits them to regulate the intercollegiate athletic program.

The third question is whether an equal per-capita test is in conflict with the regulation and its legislative history. If you will read the regulation, you will see what I mean. The fourth issue, whether an equal per-capita test or financial assistance awarded to male and female student-athletes is in conflict with the regulation and its legislative history. The regulation provides to the extent that if a recipient awards athletic scholarships or grants-in-aid, it must provide reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in intercollegiate athletics.

It is a very different wording in the regulation from the wording in the policy interpretation. Obviously, the facts of each institution's response should be those that each institution analyzes from looking at its own circumstances. They may vary widely. I think Bud Davis has given a very good summary of how they vary, and if you look at them as a whole, a rough average increase in dollar expenditure is what will be called for.

In thinking about this, I can only offer certain basic policy issues you can use as a framework. First, while we are talking about this as a legal issue, it is in a sense a political issue; but the legal touch tones are here

as we have referred to them. But there is a broad discretion on the part of the Federal agency enforcing the program to write regulations and, as you can see, to change regulations although they do not admit that they have changed the regulation, and to issue interpretations which, in effect, have from your point of view the effect of new law.

This whole Title IX effort can, I think quite accurately, be viewed as an attempt by the Federal government to take over control of higher education in America and to do it through the back door of intercollegiate athletics. Because once you take the sweeping position that HEW takes, that it has the right to apply Title IX to the programs that do not receive Federal financial assistance, that means it is taking the position that a student loan is good enough to cover the whole picture; and that anything that is wrong with a student-athlete's participation in an athletic program affects the whole institution. Therefore, they can take away the grant to your physics department because you don't have a tennis team. This is an enormous assertion of power.

Also, as I mentioned, there is no need for per-capita requirements even though they are in here in this interpretation. And, finally, I think it is imminently reasonable to say there is a greater need for a further and more explicit recognition for the application of the Javits Amendment words of the nature of particular sports in the regulation and the interpretation than has yet appeared.

Secretary-Treasurer Sherman: Thank you, Phil. Before I turn the mike back to Bud Davis, I would like to suggest to you that we invite not only your questions but your comments. The counsel is preparing a resolution but it has not finalized it and will not until after this round table.

Joseph R. Geraud (University of Wyoming): While legal counsel is here, I would like to obtain some assistance, if possible, with one sentence on Page 18 of the proposed policy statement. It reads as follows: "Accordingly, this policy interpretation is equally applicable where men's athletic opportunities have been previously limited." Frankly, I don't understand that particular statement. It makes me feel that I have to find something on the campus for the high school 140-pound guard who wants to participate in intercollegiate athletics.

Mr. Davis: I will answer that. I think the intent was that if Vassar starts a program, the men's opportunities have been limited and there are cases in which Title IX does apply to men; and the institution is vulnerable to grievances filed by men who feel they have not been provided equal opportunity on basis of sex.

Charles E. Young (UCLA): I was interested in Bud Davis' comments about the fact he felt a little bit like Charles II facing Parliament. I don't have any pretensions to divine right or to royalty, but I think some people may feel I act a little bit like the fool who rushes in where angels know well enough they should not go.

I think that we have heard enough today, at least I have, to make me believe it is true that the basic reaction has been, first of all, that there ought not to be such a thing as Title IX. If there is, it ought not apply to intercollegiate athletics. If it is applicable to intercollegiate athletics, then it ought to be applied in such a way that it excludes football and

basketball. And we ought to struggle manfully against all aspects of the regulation as it applies.

It seems to me that may not be true. It may not be a very reasonable position to take.

Secondly, it appears to me that it hasn't gotten us very far. We have analyzed the interpretations with as much care as we can at my institution. We have had a substantial number of discussions with representatives of other institutions within our conference. My comments, however, are only on behalf of my own institution and myself.

We believe that to continue to take the position that the regulations ought not to apply to intercollegiate athletics is not very reasonable. I don't believe that HEW is trying to take over higher education through the back door of intercollegiate activities.

It came in the front door a long time ago, and to worry too much about whether there is some mechanism whereby HEW can get in I think is a substantial waste of time. That already has been established.

Intercollegiate athletics are not programs operated by the NCAA. They are programs operated by the institutions of higher education in this country; and the Office of Civil Rights and other agencies of the Federal government are supplying substantial funding to higher education, and they certainly have the right to deal with intercollegiate athletic programs of our institutions to the same extent they do with many others of our programs.

One might not believe they ought to be doing either of those, but they have been and will continue to do so. I think to stand here today and argue against this position is really not a very worthwhile endeavor for us to be engaged in.

Now, going to the interpretations themselves, I wish that the regulations were written differently; and if I had had an opportunity, as I know Bud tried to have an opportunity to affect them, I would have urged them on a different course.

I believe, however, that there are several things that are clear. The regulations are going to be applied to intercollegiate athletics, we are not going to have football and basketball excluded, we are not going to be able to exclude the expenditures that come by way of receipts from charges or athletic events and some modification of the per-capita expenditure approach is going to be applied.

It seems to me it behooves us to work on the details of the interpretations and the regulations. I don't believe that can be done here. I am merely urging people to sit down and try to determine what changes need to be made in the interpretations in order to make them workable.

I think sometimes, in order to urge opposition, we have not been given fair treatment. The comment which was made, and is in the interpretation document in the analysis, that says you are going to have to provide an equivalent amount to each female student who chooses to participate—an equal amount to that which is provided to male participants—I think is an indication of that. All the students in the university can't choose to participate in the existing intercollegiate athletic program.

The other point that tends to bother me is that most people I have talked to about the regulations, who are aware of the fact that we are dealing with a per-capita expenditure comparison, assume that the excludable expense is not very great and, therefore, that you take the gross expenditures for the men's program and divide by the number of participants and apply that same figure to the number of women participants to come up with the amounts required. Now, our analysis of our own program may not be completely accurate; but we have as a result of our analysis concluded that there is a range, depending upon whether our view of the interpretations is accurate. Let me just set forth a couple of figures. Our expenditure for men's intercollegiate athletics is about \$4,300,000. Our expenditure for women's intercollegiate athletics is about \$550,000. According to the analysis we have done, and I think this is a reasonable approach to it, we would have to add somewhere between \$100,000 and \$225,000 to the women's intercollegiate athletic program in order to be reasonable in compliance. That still leaves expenditures for the men's program of \$4,000,000 and expenditures for the women's program at \$700,000. This is not, I think as many people view it, an approach that would require equivalent expenditures in gross terms.

Now, I am not arguing in favor of the regulation. As I said earlier, if I could change it, I would have taken a different approach. I think we need to keep working on those who are involved in the development of the interpretations to make them as sensible as we possibly can. But I hope we will do so in a cooperative vein, in the hope that we will continue to get perhaps an increased amount of cooperation back in time by taking that approach.

Unidentified Delegate: I would like to ask you or Mr. Brown if you would clarify the new interpretation concerning the equal per-capita expenditure. I am just wondering how you treat those sex-neutral factors if you do have disparities within your men and women's programs such as you indicated earlier? You said that you determined the equal average per-capita expenditure by taking the gross expenditures and dividing by the number of participants.

If you do have disparities, then to some extent you can justify those disparities by taking into consideration those sex-neutral factors such as scope, competition, inherent neutral programs, cost of the programs and so forth. Now, at the Division I level it costs us \$20,000 to \$30,000 to stage one football game. In recruiting, naturally, playing a national schedule, you are spending a tremendous amount of money in travel expenses. How do you treat those factors? Do you separate those dollars? Do you take a percentage of them? I am just wondering has there been any clarification on that?

Mr. Davis: Yes. I shall be glad to explain that. In the equal per capita standard, you take the gross amount for financial aid by men and divide by the number of participants, and that determines your average there. That is a category in and of itself so there are no sex-neutral factors included in it in determination of guidelines.

If you go to recruiting, there are several sex-neutral factors that he mentioned in national recruiting vs. regional recruiting, or the scope of

the program or the intensity of recruiting a given athlete. In that case, the institution will have to say that you probably sought out-of-state recruiting and show the picture of national recruiting.

The next question is what you are doing in terms of women's programs in order to develop comparable programs on that scale for the women. The burden of proof or the justification would be, however you define it, what you felt were sex-neutral factors. This would allow some deductions from the gross in terms of recruiting, and you subtract that difference and then divide the balance by the number of participants; and that would give you an average for recruiting.

The rest of the factors are lumped together. The obvious one is in football where the expense of the equipment is much greater than the average participant in most other sports, because of head gear, shoulder pads and so forth. You would simply list these and show there was a difference in football equipment, and that which exceeded the average for all other sports would be that which you would deduct before you divided it into the average.

You would do the same thing in regard to travel. You may say that the special nature of football scheduling is that you have five games and they are all of the distance of 700 to 800 miles, so you charter a plane for those games and it costs you \$20,000 a game or \$100,000 for those five trips. You would list that as what you think is a different criterion. That would be subtracted from your total travel budget for all sports for men, which might be \$160,000. You would subtract \$100,000, which would be your average expenditure for your male participants. Really, again, the burden of showing the rationale for excepting certain of the costs would be up to the institution itself.

Unidentified Delegate: I think the examples you gave are good examples, and we would appreciate receiving information along those lines to clarify the issue. If the burden of proof is on the institution and we have a difficult time just figuring those discrepancies, I think we are going to end up in court spending a lot of money defending that particular issue. I know that is one of the recommendations we are going to make, that HEW come up with either a formula or a clarification on how you treat those sex-neutral factors if there are discrepancies.

John W. Harbaugh (Stanford University): The whole issue of accounting standards will be before us in no small way, and if we must adhere to the equal per capita expenditures the question arises of who will provide these accounting standards? Now, it all seems very simple. You take the gross expenditure and divide by the number of participants. But the average of it is very sensitive to the definition of a participant.

Indeed, most institutions could contract or expand the total number of participants by adopting a particular definition. Will these definitions and these standards be provided by HEW or will each institution develop its own?

Mr. Davis: At the present time, the interpretation says that each institution shall determine what a participant is. So you will have great variation from campus to campus. In my opinion, this does lend itself to

manipulation of those figures. I think you are going to have a great deal of difference in terms of accounting procedures, too. This is one area in which I have received many recommendations that the guidelines should be tightened in order to be more specific on those points.

Mr. Harbaugh: The complexities here are just enormous. In fact, we can envision a set of regulations that will coincide with the IRS Code in time.

Mr. Davis: I agree.

Dallin H. Oaks (Brigham Young University): I hope that every institution in the country will file comments to these regulations and that HEW will thereby receive an avalanche of comments and copies of all the comments will be sent to members of Congress.

I say that not because I think that HEW is going to be persuaded by the comments they receive—we have already been through this exercise once with the original Title IX regulations. I saw very little evidence that HEW was persuaded by the comments they received, even though the comments ran into the thousands.

I think we do well to remember that we are involved here not only with a legal exercise but also in a political contest. We also are standing in the full glare of publicity for the confidence of the university community, including employees, students and alumni. What is at issue here is not simply the integrity of the athletic establishment but a quantum jump in Federal control over higher education.

The Title IX regulations are the largest leap the government ever has taken in asserting its control over higher education. Athletics is almost incidental. I would agree, however, with Mr. Brown's comment that this is a major thrust in control over higher education coming through the athletic door; but it came with the original Title IX regulations into a host of aspects of higher education administration heretofore unregulated.

The position that the Title IX regulations cannot legally apply to athletics is a sound legal position. It is not going to be resolved in the comments that are made to the Title IX interpretations before you now; but it is imperative, I submit, that that position be kept alive at this point. And I urge every institution that submits comments to these policy interpretations to include at least a paragraph setting forth the position that the Title IX regulations cannot validly apply to intercollegiate athletics because it is not an educational program or activity receiving Federal financial assistance.

There are five Federal District Courts in five different states in the nation, the only five that have ruled on the question thus far, who have held that the lengthy Title IX provisions on employment—the largest single set of regulations under Title IX—are illegal because unemployment is not an educational program or activity receiving Federal financial assistance. I submit that the same reasoning adopted by five successive District Courts means that athletics is not a federally assisted government program or activity.

It is a lively legal position, and it needs to be stated with copies to Senators and Congressmen; because we are not sure at this point whether this issue will be resolved in the Congress or in various legal

contests in the courts. But what is important is that the government not be allowed to have that issue go by default. But in getting us to focus on the detail of those provisions we must not let the public, Congress or the Courts or the university communities who watch what we do lose sight of the fact that the basic issue is whether the government ought to be in this business at all.

I urge you to include, therefore, that position in all comments made on this particular issue. It is very important that the government not succeed, that HEW not succeed in having this issue go by default and gain a position where it controls legally by public acceptance what it cannot control legally under a sound interpretation of the law.

If any institution that is getting ready to go into this kind of fight has been, in fact, unfair to women, it better put its house in order before it goes into this fight. I am not as sure as some others that have spoken here that athletics have been administered in an unfair way to women. I am open to proof on that issue, but I feel fairly sure that the equities that are calling for the resolution through these policy interpretations are going to be heard in the court of public opinion. If public institutions are receiving large legislative appropriations and channel them unfairly toward men vs. women, if they are in their allocation of student fees they are channeling them unfairly toward men vs. women, in the long run those institutions are going to take a beating.

Whether they take it from Congress or from the agencies or from the Court, they are going to take a beating. We need to put our house in order regarding the inequitable distribution of funds that have been taken involuntarily from taxpayers or students. That is not to say that revenue sports, which call for certain revenue at the gate, cannot be allocated in equity and fairness in response to the votes that the consumers have made about what they want to see on the field.

I think that the position that does not distinguish between revenue funds and these other kinds of funds is simply preposterous, and in the long run I think that preposterous attempt to lump the revenue funds along with the other kinds of funds is not going to succeed. Neither do I think that an institution is sound in shielding itself from the thought that it can be completely oblivious to those considerations of equity that tell us that women needed to be treated fairly in the allocation of funds that have been taken involuntarily, whether by taxes or by student fees.

I urge the institutions both to comment on what I think is an illegal power grab by the Federal government and to make sure they have their houses in order on a matter of essential equity, which I have defined as the allocation of those funds taken involuntarily.

Edward M. Bennett (Washington State University): My colleague John Harbaugh from Stanford pulled a large worm out of the can; and I would like to pull a smaller one out for your consideration for a moment. You made reference to regulations on recruiting. Have any of you talked to the HEW people concerning the difference in recruiting regulations of the AIAW and the NCAA?

Mr. Davis: That has been discussed at great length; and Title IX specifically states in the 1975 regulations, reinforced again in these new

interpretations, that differences in association rules are no defense for noncompliance with the Federal law. Therefore, if there are conflicts in the regulations, the information I have is that the AIAW has under consideration at this time a modification of the regulations which will bring them more in line with the NCAA.

But, at the present time, expenditures that would be allowable under NCAA rules would put an AIAW school—the same institution—in noncompliance with its own association rules and render its athletes ineligible for certain types of competition. There are conflicts which have to be resolved and the difference in rules is no defense. It is the Federal law which must be followed.

I guess this forces an institution to choose to abide either by the NCAA rules or AIAW rules if there are both governing organizations in the same institution. I would make an editorial comment on that. This is why as president of one institution and finding it virtually impossible to administer with two different association rules and two different organizations, that if we are going to subject them to some common standards that it makes sense to me to have an option for our women to participate by the NCAA regulations or the AIAW rules. I would like to have that option.

Thomas Ashley Graves Jr. (College of William and Mary): Let's assume for the moment that HEW does not change its present policy posture. Let's also assume, therefore, that later this spring we will receive a final policy interpretation from HEW and that September 1 remains the date for the compliance. Let's also assume, I think correctly, that most of us will not be in compliance as of September 1. Can you give us advice as to what happens then? What is the scenario, what is the timing?

Mr. Davis: It will be subject to the regulations of the OCR compliance review. This can be in terms of an overall compliance review affiliated with a grant request or grant renewal in which they would come in and review your total program and find you in compliance or noncompliance, or it could be an investigation of a specific grievance either filed on campus or from some place else.

The next procedure is if they find you in noncompliance you receive a show-cause letter and an opportunity to defend yourself. They also have a negotiating period in which they stipulate what you must do to be in compliance, and they stipulate a time frame. If this is acceptable to OCR, then they give you time to do this and come back and review. But this would be a matter of individual negotiation, virtually institution by institution, if my past experience serves me right.

Ronald Addison (Weber State College): I am sure that many of you would agree with me when I say we would like the women who enroll at our institutions to have opportunities that are equal to those of men, but I would also think that many of us believe women should be provided opportunities to participate in those kinds of activities that women naturally are more interested in participating in.

I know that at our college we have substantial programs that go beyond athletics that provide special opportunities that are very well suited to women. We have dance programs, gymnastic programs,

forensic programs and many others in addition to athletics. I would hope as we prepare our comments with respect to these regulations that we would encourage those at HEW to take the broader view and enable us to include all of our extracurricular activities as part of the measure of whether or not we are providing equal opportunities to women.

I was HEW assistant secretary at the time that Title IX was originally passed. It is my judgment that the intent of those original regulations was to provide equal opportunities to women in education, not necessarily to provide special incentives to move women from participating in other kinds of extracurricular activities into participation in the athletics. I would hope as we provide our comments we would include those thoughts as well as those excellent recommendations that have already been suggested to us. Thank you.

Joseph M. Pettit (Georgia Institute of Technology): I would like to just repeat something I said this morning at the gathering of the presidents—that it has to do with the major missing element in the analysis of the situation to determine whether discrimination is there.

It is just ridiculous to consider administration of the university or someone looking in on the administration of the university to examine expenditures with total disregard of income. Dollars are not the same. Dollars come to us restricted in donations, from sponsors. I have not had time to really think this through. You advocated this morning that we try to send in letters that would indicate a concern and try to be helpful. I will try to do that. But I do think this consideration of income or revenue has to be in there to illustrate how stupid it is to look only at the expenditures. I must say HEW is already on our campus looking at our books. And discrimination or alleged discrimination in one part of the campus is not any exception, so I don't expect any help here.

But the stupidity would be illustrated by examining how much money I am spending for the professor in the department of English, which is predominantly women, as opposed to the department of physics which is predominantly men. There is a great disparity. Is this because the money in physics comes from the Federal government for research? It is not for purposes such as the department of English, nor have we been asked to generate other kinds of money to make them equal. I hope that we never do. So this failure to address the income side is extremely important.

Now, I am not claiming one should ask for exceptions for some kinds of income, but our athletic scholarships are supported by donations which come in for the support of male athletes. And it is a rather large amount of money. I don't know how I could generate equal amounts of money nor can I transfer readily that amount of money. So I hope that the question of looking at expenditures only will be addressed.

Secondly, I would remind Chuck Young and others that we are supposed not to stop the things as they are, we are supposed to generate more women in athletics—more teams and more sports in the affirmative action aspect. Now, where it ends, I don't know.

Unidentified Delegate: On page 4, No. 6, if an institution maintains major football and basketball programs, and you drop down to the last part of the program, will you be required to spend far more on female

softball or tennis players than they do on a male baseball or tennis player? And would this place the institution in noncompliance because of discrimination to males?

Mr. Davis: No, it wouldn't, because it is the totality of the program that is considered rather than a sport-by-sport or athlete-by-athlete comparison. There would be no basis under the policy to file a grievance for discrimination.

William Gerberding (University of Illinois, Champaign): Bud, you said this morning and you said again this afternoon that among the categories of financially measurable benefits, the only one that does not admit any exceptions is financial aid. Now, I confess I have read these proposed policy interpretations several times and have remained confused about what they mean. It seems to me that to calculate ambiguity is considerable.

But I still have not been able to find out exactly what it is you are referring to. You said that it is clearly stated that financial aid includes no exceptions. It says on page 23 of the proposed policy interpretation that I have, as follows: "Greater per-capita expenditures for athletic financial assistance in either men's or women's programs will be consistent with Title IX if they result from nondiscriminatory circumstances or decisions." That seems to be at variance with what you have been saying. Since financial assistance is somewhere near the core of the financial problem that a number of us face, I would appreciate your comment on that.

Mr. Davis: The intent in writing that in, and I admit it is confusing, is that if you should have a slight discrepancy because you had more men on nonresident tuition than you did women, or more women on nonresident tuition, those slight fluctuations would be a decision that would be a sex-neutral decision. Or, say he/she had 10 athletic scholarships which he/she decided not to award in a given year but decided to make an administrative decision to defer those scholarships until the next year, this would not render you in noncompliance.

Mr. Gerberding: Well, those are the examples they could give. But where is it clearly stated that those are the only exceptions? You have stated it is clearly stated in the policy interpretation that financial aid emits no exception. I don't see that.

Mr. Davis: I will have to look at it. This is my interpretation, that these are the only exceptions that were considered; and that the other exceptions are not there. I guess maybe this goes back to the 1975 regulations which specifically address financial aid, with the intent that there should be no exceptions. I thought the document referred to that, but I could be in error. I will be glad to check it. It is on page 20.

Rev. Edmund P. Joyce (University of Notre Dame): I would like to speak on behalf of a reasonably large group of universities, and I hasten to say immediately that this is not the College Football Association and I am not going to give a speech. But what I would like to do is to simply state that in the view of these institutions we face a terribly serious threat of unknown dimensions, and we believe that it would be important for those who feel the same way to have some sort of unified strategy and unified attempt in going about a solution to it. With that

in mind, we have set up a meeting to take place immediately after this session. We would invite any and all schools of any size who feel keenly about this issue and would like to be part of this kind of unified effort and strategy session to join with us. The meeting will be held immediately after we adjourn from here.

John R. Davis (Oregon State University): The original 1972 regulations, in Section 8641, describe the program as interscholastic, intercollegiate and intramural athletics. I would like to follow up to the question raised by the gentleman from Weber State. It seems in dealing with the current proposal we have a proposal that deals in Part 1 with intercollegiate athletics and in Part 2 with the entire spectrum.

In formulating a response it is difficult, therefore, to determine whether or not it should deal with the scope and nature and level of competition for intercollegiate athletics or the entire spectrum. What advice can you give us in making a response? It could very well be decided by the institution that it should look at its entire spectrum in response to Section 8641.

William Davis: I think that each institution is expected to look at the intramurals and the club sports competition, and the opportunities, and it is expected these will have comparable facilities, comparable equipment and comparable opportunity. But it specifically addresses the cost items directly associated with intercollegiate competition which are something apart.

Part 2 refers to the institution's obligation to have those programs and to develop them, and to develop them from intramural to club sports and to intercollegiate activities as a means of promoting the women's programs.

[The session adjourned at 5:45 p.m.]

FINAL BUSINESS SESSION

Tuesday Morning, January 9, 1979

The business session of the 73rd NCAA Convention was called to order in the Grand Ballroom at 8 a.m. by NCAA President J. Neils Thompson.

4. ACCEPTANCE OF REPORTS

President Thompson: Because of the length of the program yesterday afternoon and the importance of the round table discussion on HEW Title IX guidelines, it became necessary for us to put off one of the committee reports that is very important to us.

I think it is quite important this morning for us to listen to that report for a few minutes. Capt. J. O. Coppedge, of the U.S. Naval Academy, will present the report for the Television Committee.

J. O. Coppedge (U.S. Naval Academy): As chairman of the committee, I wish to take a few minutes to emphasize several elements of the Association's television program during the past year.

In the spring of 1977, the membership expressed its confidence in the Television Committee when it authorized the committee to negotiate with one or more television networks a plan and contract under which future football television series would be presented. In the past, you will recall, the process was reversed, and a specific plan was drawn for approval by the membership, followed by network negotiations, a procedure which now seems outdated by the complexities of the television industry and the NCAA program.

In seeking membership authorization, the Committee enumerated 14 principles which it planned to follow as closely as possible in its negotiations. In the membership's supportive response, there was the clear message that the Television Committee should expand the opportunity for institutions to participate in the series.

As you well know, there was another essential ingredient in formulation of the program for 1978—the reorganization of the Association's membership structure and the obligation of the Committee to assure appropriate representation for Division I-AA.

The Television Committee endured some rather pointed criticism in its work, and I now would like to examine the results of the first year of operation under the new plan. In doing so, I hope I will be able to demonstrate to the satisfaction of all present today that the committee created a plan that broadly has benefitted the membership to a remarkable degree.

Of primary concern was exposure. This year 76 different teams appeared, compared with 55 in 1977—an increase of 38 percent. These additional appearances were achieved while maintaining the past ceiling on total appearances for any one institution.

Sixteen I-A and I-AA conferences were represented on the series in 1978—plus one Division III conference—an increase of 55 percent. At the same time, independents received 25 percent more appearances and had one more team appear. Division I-AA's minimum guarantee for two years was 11 appearances. During 1978 alone, nine I-AA members participated.

The committee was uncertain that it could devise such a plan to increase appearance opportunities to the degree indicated and still maintain the value of the rights fees. Nonetheless, the 1978-1979 net rights fees for national games increased 13.4 percent; and the fee for regional games increased 12.3 percent. In addition, from these rights payments have come the money to guarantee the expenses of all competitors in every NCAA championship.

Admittedly, the Television Committee is gratified by these results; particularly so when one considers that college football attendance showed a remarkably healthy increase in 1978. While attendance advanced at all levels, and 75 percent of Division I-A's available seats were filled, perhaps the best news of all is that attendance increased by nine percent in Divisions II and III. College football was never more popular at any level.

It is not unusual, after pointing to the record with pride, to close by viewing some developments with concern. We do not, at this point, wish to sound any alarms; but we do wish to sound a cautionary note by observing that the audience ratings for the series declined 10 percent. This quite possibly may be due to the unusually fine weather throughout the fall.

We know the ratings for all national football television programs dropped this season. In addition, the NCAA ratings were hurt by the expansion of the professional football schedule and the time of day of several baseball playoff telecasts. Finally, it may well be that the long-forecast saturation point for televised football was reached with the further expansion into week nights by pro football.

Let me conclude by recognizing the fine work of ABC-TV in presenting the series in 1978.

[Motions were made, seconded and approved to accept the reports of the sports and general committees, treasurer, Executive Committee and Council.]

5. PROPOSED AMENDMENTS

President Thompson: I now would like to turn to the proposed legislation, beginning with the consent package on the Constitution. This requires a two-thirds vote; and I will ask a member of the Council, Sherwood Berg, to make this presentation.

Consent Package—Constitution

Sherwood Berg (South Dakota State University): Mr. President, I move the adoption of consent package regarding the constitution—proposal Nos. 1 through 10.

[The motion was seconded, and proposal Nos. 1-10 (pages A-1-8) were approved.]

Consent Package—Bylaws

President Thompson: I should like to call to your attention that the Council has asked that proposal No. 13 be withdrawn from the consent package for the bylaws. Following the consideration of the rest of the items in that consent package, we will move for consideration of proposal No. 13. I will ask John Chellman to make the presentation on behalf of the Council for this consent package.

John Chellman (Indiana University of Pennsylvania): Mr. President, I should like to move the adoption of the bylaws package, with one change on proposal No. 11. Inadvertently, the last sentence of this proposal was omitted. I move the adoption of proposal Nos. 11, 12 and 14 through 29.

[The motion was seconded, and proposal Nos. 11 and 12 (pages A-8-9) and Nos. 14-29 (pages A-10-17) were approved.]

Postseason Football Contests—Tickets

David Strack (University of Arizona): I move adoption of proposal No. 13.

[The motion was seconded.]

It is the unanimous opinion of all the members of the Extra Events Committee that this proposal is in the best interest of intercollegiate football. Last spring, for the first time in history, each member of the bowl committee met with the Extra Events Committee to exchange ideas. It was a strong recommendation from them that we do accept this proposal.

This proposal would facilitate the sale of tickets. As you may know, we did put a restriction on the bowls that they must sell at least 40 percent of stadium capacity in order to be certified.

After the 1977 bowls, they returned \$14 million to the universities. It is important to make sure the bowls continue, and we urge your support.

Charley Scott (University of Alabama): I would point out that in the just-completed bowl season this timing would have caused some difficulty to those teams that were selected on December 2. In addition, it seems to me that this condition is one that really should be in a contract between an institution and a bowl.

[Proposal No. 13 (pages A-9-10) was approved by all divisions.]

[Proposal No. 30 (pages A-17-18) was withdrawn.]

Rules Committees

Edward W. Malan (Pomona-Pitzer Colleges): On behalf of the Council, I move the adoption of proposal No. 31.

[The motion was seconded.]

I would like to point out that there are two essential features to this proposal that deal with changes in playing rules of substantive economic impact upon the membership. This proposal recommends that these changes be subject to approval by the Council and review by the annual Convention, so that members may have an opportunity to phase such changes into their budgets.

Edward Steitz (Springfield College): I am opposed to this amendment. I can only speak in behalf of the Basketball Rules Committee. I point out with pride that this rules committee has done an outstanding job enhancing the game of basketball, and the NCAA championship.

I point out there is a limitation on any rules committee the membership appoints. But I believe that we are taking away from the great expertise that appears on these different rules committees. These people have committed their lives to a particular sport. I question, although the Council over the years has been a great body to be sure, whether it wants to get in the ball park of knowing the playing rules of all the different sports. I am wondering whether the Council doesn't have enough business to take care of already, without including the playing rules. I urge the defeat of this on behalf of the Basketball Rules Committee.

Mr. Malan: I would point out that we are talking not about every playing rule. Of course, the Council does not have time, nor is it concerned about all of them—only those changes in playing rules that involve substantive economic impact. It is very simple.

Mr. Steitz: I would appreciate a definition of "substantive change." If we rescind a dunk rule, is that a substantive change? Or if we previously had put in other dunking privileges, is that a substantive change economically?

Harold W. Lahar (Southwest Athletic Conference): One of the basic charges of the rules committee as custodian for the game of football is a consciousness of the economic factors involved in the game and its effects on all levels of play in the United States. I would submit to you that this is a matter that is discussed with great length at every session of the Football Rules Committee that I have attended for the past 10 years.

I am a little bit concerned about a group, and I can say this with all respect, that may or may not have the expertise required to approve or disapprove rules. It is a matter of weighing economic impact against safety, for example, or the benefit of the game as far as the coaches and players are concerned. I think this is an extension of a charge to a group of people who have devoted their lives to the game and feel that responsibility. I urge the Convention to vote against this proposed amendment.

[Proposal No. 31 (page A-18) was defeated by all divisions.]

Division I Basketball Committee

John Kaiser (St. John's University, New York): I would like to move adoption of proposal No. 32.

[The motion was seconded.]

Gentlemen, we have a Division I basketball grouping that has grown to 257 teams; and the tournament, as you know, has been expanded to 40 teams. I believe there is room for additional people on the Division I Basketball Committee, so that we can be assured of representation from all areas of the country. I would like for you to consider expanding the committee to eight members—one from each district and one at

large—to make sure that all interests around the nation are given good consideration.

Wayne Duke (Big Ten Conference): Mr. President, the amendment to the amendment is advanced by the Big Ten Conference particularly for legislative reasons. I move the adoption of the amendment to the amendment.

[The motion was seconded.]

I speak as chairman of the Division I Basketball Committee. I certainly agree with my good friend, Jack Kaiser, that the expansion of the Division I Basketball Committee is very necessary to the administration of what we consider the jewel of the national collegiate championship events, the National Collegiate Basketball Championship, which generates something like \$6 million in revenue for the Association and its member institutions.

However, it long has been my view that district basis for membership in the NCAA is outmoded. It is principally true in the sport of basketball, where the basketball tournament is structured on a regional basis. Inasmuch as we have increased the tournament field from 32 to 40 teams, I certainly concur that additional representation on the tournament committee is necessary for the proper administration of the tournament.

I would suggest, however, that rather than base it on division representation the Association adopt the proposed amendment to the amendment and provide for an increase in the tournament committee membership based upon regional representation to provide the increased flexibility that the committee believes would be in the best interest of the tournament.

Robert C. James (Atlantic Coast Conference): On behalf of the NCAA Executive Committee, I would like to urge the membership to support the amendment to the amendment. If we have district representation on this committee, we will ensure one member representing only 16 of the 257 members in Division I; and we believe that is a tremendous inequity. We believe the amendment does respond to the concerns of the membership, and it is a far more equitable response to the problem.

Mr. Kaiser: We appreciate the comments of Mr. Duke and Mr. James. We are happy they agree that greater representation is necessary, and we believe that we could support the amendment to the amendment.

Francis Rienzo (Georgetown University): I think the issue at hand here is representation. I think representation closer to the institutions and closer to the people gives the individual institution a better opportunity to make its views known. Therefore, I recommend that you vote "no" on this amendment.

[Proposal No. 32-1 (pages A-18-19) was approved by all divisions.]

[Proposal No. 32 (page A-18) was approved by all divisions.]

Voting on Common Bylaws

Raymond Whispell (Muhlenberg College): I move proposal No. 33

on behalf of the Council and the Division II and Division III Steering Committees.

[The motion was seconded.]

Proposal No. 33 addresses the question that faced the Convention last year when Division III no longer had a quorum. The intent of this proposal is to permit the Convention to act as a whole on the amendments to the common bylaws if any division loses its quorum during the Convention. I urge your approval of proposal No. 33.

[Proposal No. 33 (page A-19) was approved by all divisions.]

Voting in Round Tables

Charley Scott (University of Alabama): On behalf of the Council, I move proposal No. 34.

[The motion was seconded.]

This item provides for voting in the division round tables on proposed legislation that meets certain conditions. It must pertain exclusively to that division; and it must consist of more than one proposed amendment with a single subject, or one or more proposed amendments to a proposed amendment.

The result will be a reduction to a single proposed amendment to be considered in the general business session. Retained are the rescission principle if other divisions think the action is inappropriate for the general membership and the opportunity for participation by all divisions in the final discussion, but transferred from the general business session to the round table is the discussion and voting.

Yesterday, by decision of the Division I Steering Committee, that division experimented with the process; and beneficial results will be noted today. For example, it was determined in the case of Proposals 48 and 49, as examples of amendments to amendments, that No. 49 did not have adequate support; and already No. 49 has been announced as being withdrawn.

What we did in Division I yesterday has been given much acclaim throughout the division since that meeting. I urge your support of No. 34.

Richard Lyman (Stanford University): This is certainly not a matter of life and death for the NCAA. We will survive whichever way it goes. I do want to oppose the resolution, however, mainly on the ground it has the practical effect of extending in some degree the business meeting to the preceding day. I think the burden of time that the NCAA meeting constitutes is considerable as things stand; and, if this is passed, it may become the beginning of a general trend to extend the business meeting back into the round tables.

As to the question of the desirability of finding out during the round table that a given proposal lacks support and, therefore, should be withdrawn, I have a feeling after having attended a good many round tables that one can get that impression pretty readily without a formal vote.

Furthermore, there could be added complexity in the regular business meeting, which God knows we don't need, as efforts to rescind the

tentative votes taken in the round tables occupy our time. Therefore, I hope you will vote this down.

Stanley J. Marshall (South Dakota State University): I urge opposition to proposal No. 34. It is not consistent and in keeping with the spirit of the organization and the pledge to keep this operation an Association. It is one more step in the direction of making it a federation. I think it is a very basic issue, and I hope you will turn it down soundably.

James Frank (Lincoln University, Missouri): The Division II round table gave considerable discussion to this proposal yesterday. A straw vote was taken and it overwhelmingly was defeated for the same reasons that Stan Marshall just indicated. I would urge defeat of this particular proposal.

[Proposal No. 34 (page A-19) was defeated by all divisions.]

Gambling

Cecil N. Coleman (University of Illinois, Champaign): On behalf of the Council and the Gambling Committee, I move the adoption of proposal No. 35.

[The motion was seconded.]

I would like to point out to the delegates this is a recommended policy. It is being recommended basically by the Gambling Committee and the Council to encourage members to refrain from issuing press credentials to publications which publish, or promote advertising of, "tout sheets" encouraging gambling on college sports events.

Some of my colleagues have asked me for a further clarification of this. I would indicate to you that the proposal encourages restraint only toward those who publish "tout sheets" and those other publications which advertise "tout sheets." It does not cover newspapers or television stations that carry betting information and odds, because we know regulations cannot be adopted hindering the freedom of information.

[Proposal No. 35 (page A-20) was approved.]

Resolution: Fatality Insurance

John J. Hinga (Heartland Conference): I move adoption of proposal No. 36.

[The motion was seconded.]

We are asking the Insurance Committee to study this proposal and report back to next year's Convention the feasibility of funding fatality insurance in behalf of the members of the NCAA to student-athletes, coaching staff members, etc., who are performing their duties.

Cecil N. Coleman (University of Illinois, Champaign): Could we get a clarification from the presenter on this? In the last sentence, it appears to be more than what he just indicated—that there would be a definite plan presented to the membership. Is a plan to be presented to the membership or just the feasibility of whether or not it would apply?

Mr. Hinga: I think the Insurance Committee will have the responsibility to study all phases of this and come back to the Convention with

their recommendations, possibly published prior to the Convention for our final study. The concern about funding is the responsibility, we believe, of the Insurance Committee. With their expertise, they can come back and do a better job than we as lay people speaking on the floor of the Convention.

Kenneth W. Herrick (Texas Christian University): I am chairman of the Insurance Committee. The committee has had this proposal under study for a few months. We are exploring the possibility of some type of overall insurance plan for the membership, including the cost and the possible source of revenue to cover the cost. As chairman of the committee, I believe we are doing what the proposer of the amendment has set forth in his resolution.

President Thompson: Mr. Hinga, would what they are doing satisfy your resolution?

Mr. Hinga: Yes, sir.

President Thompson: All you are asking for is a report back to the Convention?

Mr. Hinga: Yes.

Frank W. Elliott (Texas Tech University): I think the resolution is just a little bit more than that. It directs the way the thing should be funded.

[Proposal No. 35 (page A-20) was approved.]

Amateurism—Fundamental Policy

Frank J. Remington (University of Wisconsin, Madison): I move the adoption of proposal No. 37.

[The motion was seconded.]

Proposal No. 37, if adopted, will allow member institutions to receive funds from national amateur sports organizations, even though those funds originated with a professional sports organization. Currently, it is my understanding, by way of illustration, that if organized baseball were to make an award to the NCAA, it could be accepted by the Association but could not in turn be made available to member institutions. If made available to the member institutions and furnished to the student-athlete, it would have the affect of professionalizing the student-athlete.

Similarly, if professional basketball were to make an award to the United States Olympic Committee, under the current legislation it would be impossible for the Olympic Committee to share that with NCAA member institutions; and were that to happen and the individual athlete were to be the recipient of those funds, he or she would be a professional.

It seems to me that the fear, perhaps of domination by professional sports, is unfounded. It seems to me that the current legislation does not do service to the ability of these groups and the member institutions, and we believe certain institutions may gain a competitive advantage. But it seems to me discussions such as the one yesterday on Title IX ought to convince all of us that we ought to fear more the fact that financial restraints may cause us to drop sports. This principle

seems to be a sound one—that a national amateur sports organization can award funds to member institutions, provided there are no conditions upon the grant except that it be used for developmental purposes in a particular sport.

John Toner (University of Connecticut): I am speaking in opposition of this motion, on behalf of the NCAA Council. Article 2 of the constitution definitely calls for a line of demarcation between amateur sports and professional sports; and although the merits of this amendment are quite obvious, the laundering of the money by way of an amateur sports organization may just be that. That it is just a laundry exercise, coupled with the fact it might involve grants-in-aid, does bring question as to the pure developmental aspects of the amendment.

Therefore, on behalf of the Council, we urge the defeat of this amendment.

Robert M. Whitelaw (Eastern College Athletic Conference): With no intent to curtail discussion, I think the subject is worthy of further study and evaluation. I would like to refer it back to the Council to appoint a special committee to review all the aspects of this particular proposal, and I would like to call for the tabling of the amendment.

President Thompson: I would like to clarify your motion for the moment. I am going to rule the tabling portion of your motion out of order. You mentioned referral to the Council for further study by a special committee, but not for tabling of the motion. I will consider your referral motion in order.

Mr. Whitelaw: I will accept that.

President Thompson: So, we have before us a referral motion to the Council and the appointment of a special committee of the Council or by the Council to study this further.

[The motion was seconded, and proposal No. 37 was referred to the Council.]

Student-Athletes' Housing

Cecil N. Coleman (University of Illinois, Champaign): Mr. President, on behalf of the Council I move adoption of proposal No. 38.

[The motion was seconded and proposal No. 38 (pages A-21-22) was approved.]

Professional Tryouts

Dick Oliver (Southland Conference): On behalf of the sponsors, I should like to move adoption of proposal No. 39.

[The motion was seconded and proposal No. 39 (pages A-22-23) was approved.]

Permissible Expenses

Tom Parac (Montana State University): I move adoption of proposal No. 40.

[The motion was seconded.]

The intent of this amendment is to allow those institutions that are in states that are quite geographically dispersed to have an opportunity to service the state their institution is housed in, be able to promote

their program within their state and extend the 100-mile distance factor with regard to practice games off campus.

[Proposal No. 40 (page A-23) was approved, 334-120 (two-thirds majority required).]

Travel Uniforms

John Mahlstedt (Iowa State University): I move adoption of proposal No. 41.

[The motion was seconded.]

The proposal proposes to add a subparagraph to Constitution 3-1-(h), which would allow an institution to allow bare-bones travel uniforms for student-athletes (laughter) and to award those uniforms to team members after completion of their eligibility. In essence, the amendment provides for uniformity of travel dress. It fosters an image of team membership and esprit de corps, and it permits award of that minimal dress uniform after the student-athlete has practically worn it out after three or four years of service. I urge your adoption of this amendment.

[Proposal No. 41 (page A-23) was defeated.]

Awards

Fred L. Miller (Arizona State University): I move adoption of proposal No. 42.

[The motion was seconded.]

I will just highlight the intent. This is really to allow awards for a national championship as selected by a national wire service poll or the national coaches association in that sport, and obviously it is intended for the sport of football. I know at our institution, we provide women's archery championship awards; and if we had a national football championship we would be a little embarrassed about not being able to provide an award.

[Proposal No. 42 (page A-24) was approved.]

Determination of Divisions

Louis A. Myers (University of Arizona): I move adoption of proposal No. 43.

[The motion was seconded.]

The intent of this proposal is to establish procedures by which an institution that does not meet the criteria of its desired division could request a waiver of those criteria from the membership of the division itself. The steering committee of each division would establish procedures by which that division would consider requests for waivers.

However, the proposal stipulates the applicant institution shall be permitted to appear before the division's membership at the NCAA Convention, presumably at the division round table. If the request is approved, the institution would have three years to conform to the criteria of the division. If it failed to do so at the end of that period, it would be reclassified to a division for which it qualified or to associate membership.

This procedure could be used by members of a conference that otherwise would be precluded mathematically by their conference

schedules from meeting the scheduling criteria. If the members of the committee felt that the conference group met the criteria, the provision could be waived.

[Proposal No. 43 (pages A-24-25) was approved by all divisions.]

Determination of Divisions

Mr. Myers: I move adoption of proposal No. 44.

[The motion was seconded.]

I now move adoption of proposal No. 44-1, which amends proposal No. 44.

[The motion was seconded.]

Proposal No. 44-1 simply improves the terminology that is contained in proposal No. 44 and is not, in fact, a basic concept change. The suggestion for change was made as the result of some discussion in the Division I round table yesterday.

[Proposal No. 44-1 (pages A-26-27) was approved by all divisions.]

President Thompson: We now are back to consideration of proposal No. 44, as amended.

The intent of proposal No. 44 is to establish an unclassified category within the active membership for an institution that does not meet the membership criteria for any division. This will avoid having to reclassify institutions as associate members as now would be required of the Classification Committee. It also would keep the institution from being required to seek reelection to active membership and from being required to spend a minimum of two years as associate member before it could be reclassified to any division within active membership.

The Classification Committee was concerned that a number of institutions may be affected by the increasingly specific and demanding division membership criteria and may not qualify for any division. This proposal is an attempt to keep institutions from losing their active membership status because soon, if not already, an institution that fails to remain in compliance for continued membership in a division is unlikely to be able to qualify for membership in any other division.

Andrew F. Montana (California State University, Fullerton): If a school is unclassified and another team plays that school, how will that be counted? It will be Division I, or "playing" Division II, or will it be "playing" a special category called "Unclassified"?

Mr. Myers: An unclassified member would not be a member of any division and would not be counted.

[Proposal No. 44 (pages A-25-26) was approved by all divisions as amended by proposal No. 44-1.]

Membership Classification

Olav B. Kollevoll (Lafayette College): On behalf of the NCAA Council, I should like to move the adoption of proposal No. 45.

[The motion was seconded.]

Bylaws 8-3-(c) and 8-4-(a) require that subsequent to reclassification to a new division, a member institution must remain—or compete in a particular sport—in a division for a minimum of three years. This

proposal would establish a procedure whereby the Council, by a two-thirds vote, could grant an exception to this requirement if the institution or the sport had been reclassified as a result of the creation of a new division or subdivision. Such a provision would aid the institution, which might have misunderstood the membership requirements or misjudged the competitive level of a new division.

The second part of the provision is to clarify that the petitions for reclassification must be received by June 1; whereas, the current language might be interpreted that a mere mailing of a petition by that date was satisfactory.

[Proposal No. 45 (pages A-27-28) was approved by all divisions.]

Multidivision Classification

Mike Mullally (Eastern Illinois University): Mr. President, I move the adoption of proposal No. 46.

[The motion was seconded.]

Proposal No. 46 simply would allow the members of the Mid-Continent Conference and other football-playing schools currently in Division II who wished to be reclassified I-AA the opportunity to be reclassified, and basically be where they were prior to the creation of Division I-AA, in the second tier of football-playing schools. We all in our particular conference already have observed the 2,000 grade-point regulation by playing our conference schedules.

We would not be able to meet the scheduling criteria of Division I-AA because our conference games would preclude our ability to do that; and if many of us are forced into a situation where we have to play other Division I-A and I-AA schools in order to fill our nonconference schedules, we would like the opportunity to be classified in the division that we belong.

John B. Simpson (Boston University): I rise to speak against proposal No. 46. For a member institution to qualify for Division I-A or Division I-AA, all the programs at that institution must qualify for the division criteria. Therefore, I suggest rather than making an exception in a lot of these schools to move into I-AA in football only, their total program should meet the criteria of I-A or I-AA.

Donald Warhurst (California State Polytechnic University, Pomona): I urge defeat of this amendment. At the time the Association decided to organize into divisions, it was recognized that it would be an unfair competitive advantage if programs other than football or basketball were allowed to be in a lower division. I have heard no argument that that situation has changed. So this proposal to have the football program at a higher level than the rest of the program would give the other sports an unfair competitive advantage, and I urge its defeat.

Asa Green (Gulf South Conference): I would like to speak in support of proposal No. 46. The Gulf South Conference is a relatively new conference, eight years old. It was formed for geographic considerations and with the thought that we wanted to develop competitive programs at the Division II level. We think we have done that with some success. We have had member institutions competing in the NCAA-sponsored

championships in at least six sports, including three major sports—football, basketball and baseball.

Since 1975, the reorganization of the NCAA has generated some particular strains within our conference, focused upon football primarily. Our member institution from Louisiana, for example, has some particular pressure arising from the funding patterns in that state that require them to compete against institutions which are now in Division I-AA.

Like the Mid-Continent Association, we want to give those institutions the opportunity to compete at the level where they have been competing and now are competing. Others in our conference, including Livingston University, of which I am the president, probably will remain in Division II. But we think we can live as a conference with some inequities in our level of competition in football and have the benefits of our competition in other sports if proposal No. 46 is passed.

I think it is particularly important in considering proposal No. 46 to bear in mind that if proposal No. 81, which will be considered later today, is approved and the Division II fellowship awards are reduced from 60 to 45, these strains in our conference will become intolerable; and we perhaps will have to disband. We particularly solicit the understanding of our friends in Division III and in Division I-A and I-AA to recognize that many of us in conferences that are primarily in Division II are having some real problems with the reorganization, and we think this is a viable solution. We urge your support of this proposal.

[Proposal No. 46 (page A-28) was defeated.]

Applications for Membership

Victor Bubas (Sun Belt Conference): I move adoption of proposal No. 47.

[The motion was seconded.]

Mr. President, the University of Alabama in Birmingham, a member of the Sun Belt Conference, applied for membership to the NCAA in June 1977. It was granted an associate membership at that time. It has been in complete compliance since its application, and although the University of Alabama in Birmingham will have been an associate member for two years summer, the institution put its first teams in action this fall. It is a unique situation.

The University of Alabama in Birmingham has been around for a long time, and it is a distinguished university; but it is engaging in athletics for the first time. If this proposal is passed, it will enable UAB, or any other established university that might be in similar circumstances, to compete after two years of waiting. We think it is fair and the proposal makes common sense.

[Proposal No. 47 (pages A-28-29) was approved by all divisions.]

Division I Criteria

Kenneth Herrick (Texas Christian University): On behalf of the NCAA Council, I move adoption of proposal No. 48.

[The motion was seconded.]

The purpose of having three divisions in the NCAA was an attempt to

group schools of similar interests, programs, budgets and staff size together so they could resolve their common problems and differences more readily. The membership in the NCAA requires a minimum of four sports. That minimum of four sports, therefore, becomes the criterion for Division III.

Division II has adopted a six-sport requirement, and that seems fitting to me also. This proposal would require eight sports for Division I membership, to differentiate themselves from Division II, and so as not to be in the same requirement position that Division III is in.

G. B. Wyness (West Coast Athletic Conference): While I agree with what he just said in the intent, I am not sure the number of sports being sponsored is, in fact, any type of a determinate between size and direction of athletic programs. It appears this is directed at the smaller Division I schools, many of which have long-standing traditions of excellence in sports other than football. A great number of these colleges and universities are not publicly supported and have severe facilities, staff and budgetary limitations.

I was sorry to see proposal No. 49 withdrawn, because I believe that a six-sport requirement is good in keeping with the requirement for championship play. However, an eight-sport requirement will pose a greater burden in light of the implications of Title IX; and it seems unwarranted. I, therefore, urge a "no" vote on proposal No. 49.

Eugene P. Sullivan (Loyola University, Illinois): As the gentleman from the West Coast Athletic Conference stated, we are going to find ourselves in a very difficult situation if the proposal, in light of Title IX, passes. It is not a matter of us moving to another division, but a whole university decision as to whether or not we can continue with intercollegiate athletics.

We feel that other schools face a similar situation in the coming years, especially with Title IX. We would oppose this proposal.

Kenneth Mease (Robert Morris College): I would like to just echo the sentiments of the two gentlemen that spoke before me. Robert Morris College is facing the same dilemma. We would like to also have consideration of what Title IX will do in the development of sports in our region.

Marc F. Greisbach (Marquette University): Although we, like I suppose the majority of the Division I schools, would be able to meet this criterion, I think all of us ought to consider what possible worthy purpose this amendment could provide. It seems to me that the point made yesterday, that this is no time to impose unwarranted economic burdens upon any school, is a valid one. It seems to me that this is entirely the wrong time for us to suggest criteria that could do nothing but prevent some colleges from remaining in Division I, possibly even in intercollegiate athletics at all.

Robert H. Spiro (Jacksonville University): I also would like to speak in opposition to proposal No. 48. It seems to me that many of us are facing difficult times financially. While all of us would like to have more sports and more money, it seems to me this is an inappropriate time to introduce such a resolution. Furthermore, all of us are concerned about the cloudy situation related to Title IX. We don't know what is going to

happen in February, and I would strongly urge that we do not pass this proposition at this time.

It seems to me it has no basic relevance to the excellence of the programs or to the competitive levels of the institutions. It would help no one to pass this proposition and it will be detrimental and probably hurtful to many of us. I urge its defeat.

Jesse C. Fletcher (Hardin-Simmons University): I feel the question of timing has been raised very well already in light of Title IX, discontinuity with the AIAW programs and, of course, the proposed concern earlier with economic impact. I don't believe that we have been adequately serviced with relation to this. If the total economic impact of all the universities involved in this could be added up, we might be dealing with something that would compete with utilities.

The second point is the logic of it. Later you will be looking at an 85 percent requirement instead of a 75 percent requirement in Division I basketball scheduling, and yet you make a move that could eliminate some of those schools that you would otherwise play.

But I feel there is another point. Surely the goal of those sponsoring the move to eight sports is to strengthen the programs in Division I. As president of an institution, I can promise you that we will move to the eight sports if voted, but we will not be stronger for it. Many of the other schools that will have to make that move will not be stronger for it. Anything that weakens the programs of the Division I membership cannot strengthen your Division I membership.

I think it is the spirit of it, though, that bothers me most, because there is nothing in our experience that says that bigness has anything to fear from smallness. Some of our small institutions are not playing football because they want to play basketball and keep their spring sports on a top, competitive level. They want to match their academic goals.

I think you will make it extremely difficult for them to do that if you vote this change. I think quality is going to emerge on the level of competition, and I believe you have been encouraging this; and yet this proposal would move in the opposite direction. Finally, I believe pluralism has been the strength of the NCAA. I think if you deal a difficult blow to that sector that is already scrambling to keep its place in the sun, I don't believe that the public sector will be strengthened by it at all.

[Proposal No. 48 (page A-29) was defeated by Division I.]

[Proposal No. 49 (pages A-29-30) was withdrawn.]

Division I Criteria

John W. Kaiser (St. John's University, New York): On behalf of the Council, I move adoption of proposal No. 50.

[The motion was seconded.]

Division I basketball has grown to 257 institutions. The Classification Committee and the Division I Steering Committee believe a more demanding scheduling requirement is desirable to check membership growth and prevent further enlargement of the division. An institution seeking membership in the division subsequent to adjournment of this

Convention would have to meet the 85 percent criterion prior to making application.

[Proposal No. 50 (page A-30) was approved by Division I, 131-123.]

John W. Hermann (California State University, Los Angeles): I move to rescind proposal No. 50. We believe it is detrimental to Division II.

[The motion was seconded.]

We believe in Division II, especially in areas like southern California where we have the opportunity to play Division I schools, this proposal would put a great burden on some of our institutions.

James Frank (Lincoln University, Missouri): At the Division II round table, we discussed this rather thoroughly and felt that if this proposal should pass this rescission motion would be made. I just want to report that Division II is opposed to proposal No. 50. That is, we are in support of the rescission motion.

[The motion to rescind proposal No. 50 was defeated, 271-147 (two-thirds majority required).]

[Proposal No. 51 (pages A-30-31) was withdrawn.]

Division I-A Football Criteria

Henry T. Lowe (University of Missouri, Columbia): On behalf of the sponsors of proposal No. 52, I move its adoption.

[The motion was seconded.]

There are two aspects to proposal No. 52. One is to treat the 12-sport requirement, which is now an alternative to the attendance criteria in the legislation. The second is to add a provision to permit the addition of new members to Division I-A under a substantial compliance provision. I would like to discuss these separately.

First, in regard to the 12-sport requirement, more than a year ago an ad hoc committee was appointed by the NCAA Council to develop criteria for a new voting division. The task of that committee was to identify by criteria schools of similar programs, financial resources and objectives. I served as a member of that committee and we spent many, many hours developing these criteria. The final plan accomplished the objectives. It used the criteria that are football-related and that experience had shown would draw a rather clear line to identify those schools with common programs, resources and objectives—strength of schedule and attendance.

At that time, we made a very careful analysis of the scheduling and attendance patterns at Division I football schools. This information, which reflected the long history of intercollegiate football in the United States, clearly indicated a two-tier structure in what was then Division I. The plan presented to the last Convention came from the Division I Steering Committee, sponsored by the NCAA Council, and was based upon these two football-related criteria.

You will recall that a year ago the plan was approved, with an amendment that was adopted by the membership without benefit of careful, prior consideration. The 12-sport requirement was not in the plan in the beginning, and it came at a time when all of us who had

worked carefully on this plan had no opportunity to assess its impact. It is quite clear now in retrospect that it affected a basic change in the NCAA-sponsored plan and in a real sense thwarted the major purpose of restructuring, which was to bind together in one voting body those institutions with common objective programs and resources.

The first part of proposal No. 52 does nothing more than restore the NCAA-sponsored plan of a year ago to its original form. It would base membership in Division I-A on football criteria—basically scheduling and attendance.

After the discussion yesterday at the opening session of this Convention, there is surely no doubt that the future of major college football is seriously threatened. No matter how that proposed policy interpretation finally is worded, we can be certain that this Association will be the medium through which major cost reductions in football programs will be sought. This will be a struggle for survival, and the interests of those with so-called major football programs necessarily are going to diverge to an even greater extent than before from those in Division I-A that do not rely on attendance. In a word, effective restructuring in I-A football is now more important than ever.

The second feature of proposal No. 52 reflects the same philosophy approved earlier—upward mobility in Division I-A. A school that substantially can comply with the criteria, by recommendation of the Classification Committee and approval of the membership in I-A, can become a member of I-A.

At this time, Mr. Chairman, I move that we have a roll-call vote on this important issue.

[The motion was seconded.]

President Thompson: This part is not debatable. The chair is going to rule that we will proceed with the discussion, but we will need to put a roll-call vote to you before we finish the discussion.

Seaver Peters (Dartmouth College): I speak in opposition on behalf of the Ivy League for three very fundamental reasons.

First, in the fall of 1977, you, Mr. President, wrote to the membership stating that the purpose of the restructuring plan was to give a substantial number of Division I members who are committed to conducting broad varsity intercollegiate sports programs the opportunity to be in a division which meets their needs.

You have talked further about a commitment to intercollegiate athletics, broadly based programs and a financial commitment by member institutions. I suggest there is no better measure than a 12-sport minimum.

Second, I think a year's trial is insufficient for a number of reasons. The previous speaker mentioned Title IX. That will certainly be a factor.

Third, just in case there is any misunderstanding about television, I would like to reiterate what the chairman of the Television Committee stated in his report earlier this morning. There are no mandatory appearances in the NCAA Television Plan for Division I-A institutions. There are, however, for Division I-AA institutions. If there is a flow of

institutions from Division I-A to Division I-AA, I think most assuredly, the Television Committee will increase the number of mandatory appearances for I-AA; and that can come only from appearances now given to I-A institutions.

Again, I urge the defeat of proposal No. 52.

Richard W. Lyman (Stanford University): Mr. Chairman, I should like to remind the membership of the fundamental reasoning behind the 12-sport criterion. I would like to underline the fact that it is an encouragement and not a requirement, a marked contrast to proposal No. 48, which was discussed earlier this morning.

The encouragement was to put our money where our mouths are. I know money is a sensitive subject, and no one knows more than I that to put our money where our mouths are is to support broad programs as we have always said we would like to do. Now, whatever else the approval of No. 52 would mean, it would constitute and imply condemnation of that reason.

Does the NCAA really want to go on record against what has proven in this short period of 12 months to be a highly successful incentive system for broad, comprehensive programs? Now, there are circumstances in which that might be justified. If we had had some major disaster to Division I-A in relation to the approval last year of this amendment then we would, indeed, be justified in reconsidering it—and perhaps rejecting it—reversing ourselves from last year.

The only so-called adverse result that I am aware of has been a somewhat explicit strong response to the opportunity to support a broad program. Of course, that means opportunities for many more student-athletes to compete on an intercollegiate level in a variety of sports. The fact that membership in Division I-A has not been reduced as much as the proposers of the unamended resolution intended last year has not caused the heavens to fall or even crack. I might at this point, however, utter a small warning. There may be, under the pressures that we now face financially, some erosion; and Division I-A may become somewhat smaller than if we vote down No. 52, as institutions have to face up to the cost of an expanded program in a time of great dollar pressures.

But even if that is true, it is all the more reason to keep the incentive. I remind you once again, no one has to try to meet this criterion if the institution believes it is too much of a burden. At the very least, let me argue that it is premature to do away with this after one year's brief trial without a showing of the compelling need for change. It is the student who competes that we care for.

Finally, whatever the right answer to Title IX might be, running scared in the face of it—in respect to men's programs—surely is not to the credit of the NCAA; and it will not be seen as a good response on the part of the NCAA by anyone. Not even the Department of Health, Education and Welfare will see it as a good response.

Let me just mention briefly the second section of proposal No. 52. This is in the nature of a sweetener. It may be desirable in itself, but tying it to the elimination of the 12-sport criterion is a tactic all too familiar in the Congress of the United States.

You take a part to vote against the proposal and you link it with a largely unrelated and highly controversial proposal, and you hope the latter will sneak through. I hope the Convention will give the proposal we passed last year more of a chance than it has had today, and will vote against proposal No. 52.

Mr. Lowe: I think it is hardly necessary to point out that the NCAA Council, which supported the original plan, was not aware of the 12-sport requirement when it proposed the restructuring in I-A football. There was in that plan and there is today in the bylaws an eight-sport requirement for Division I-A football participation.

I have no further comments to make about the second part of proposal No. 52. I think we have talked over the last year about the need for upward mobility, and as one involved in the preparation of the amendment I can say there was nothing sly or foxy about its preparation. This was a response to an apparent need, and the sponsors believe it is a very meritorious position.

[The motion for a roll-call vote was defeated by Division I-A football, 57-87. Then, proposal No. 52 (pages A-31-32) was defeated, 64-83.]

[Proposal No. 53 (page A-32) was withdrawn.]

Division II Criteria

Chalmer G. Hixson (Wayne State University): Mr. President, on behalf of the Division II Steering Committee and the Council, I move adoption of proposal No. 54.

[The motion was seconded.]

This amendment provides scheduling criteria for Division II in football and basketball, and it is another effort to further define what Division II is all about and what type of universities and colleges should be members. The proposal also includes waiver provisions so those that have been members of certain conferences or have problems geographically have the possibility of a waiver by the Council. I urge its adoption.

[Proposal No. 54 (pages A-32-33) was approved by Division II.]

Division III Criteria

Arthur J. McAfee Jr. (Morehouse College): Mr. President, on behalf of the Council and the Division III Steering Committee, I move the adoption of proposal No. 55.

[The motion was seconded.]

The Division III Steering Committee is proposing these criteria for several reasons. There is the desire to ensure competitive equity in regular-season play for all institutions and to standardize the criteria under which student-athletes are eligible to participate in a division. Within the division concerning national championship competition, the desire also was expressed for standardized eligibility for the championships; and particularly it was agreed that it is unfair for a team to achieve a record that qualifies it for selection to a national championship through the use of athletes who are ineligible to compete in the championship.

The selection of the teams for championship competition will be simplified in Division III where team evaluation is very difficult due to the number of institutions and intersectional play. I remind the membership of Division III that the survey taken in 1978 indicated 73 percent of our membership favors this proposal.

David R. Ocorr (University of Rochester): I believe proposal No. 55 is contrary to the participation emphasis that has been the foundation of Division III since its inception. Therefore, I urge defeat of this proposal.

[Proposal No. 55 (page A-33) was approved by Division III.]

[Proposal No. 56 (page A-34) was withdrawn.]

Division III Criteria

Kenneth J. Weller (Central College): Mr. Chairman, on behalf of the Division III Steering Committee and the Council, I move adoption of proposal No. 57.

[The motion was seconded.]

Division III's identity is based upon a philosophy of awarding aid based on need. We decided to do that because it saved money. We believed it was a better program; and it provided an opportunity for effective competition with institutions with similar philosophies, without the disadvantage of different financial policies. In its implementation, however, we have run into a serious problem.

The problem is this: although the financial aid is awarded based on need, the composition of the package has been very different among the institutions. Some institutions have awarded aid basically the same way to athletes that is awarded to all students. Other institutions have chosen to add to the package an enrichment based on an exclusive award to athletes. In the extreme form, it is possible that the Division III institution can make an award to an athlete with complete need equal to the award made by Division I institutions.

That extreme does not happen often, but there are great differences in the packages awarded by the Division III institutions. We proposed to substitute an additional grant for self-help in the form of loans or work. This problem has been discussed at length in the last three round tables. Last year the round table voted to instruct the steering committee to prepare a proposal for consideration this year dealing with this problem and any disparity in the offering of the composition of the packages. That discussion and that charge to our steering committee has prompted proposal No. 57.

Proposal No. 57 has two parts. The first part is general in nature, while the second part is very specific. The general statement in the beginning simply says that awards for athletes will be made consistent with the financial aid programs that exist for all students. The steering committee has developed three guidelines for defining what it means to be consistent with general practice.

The first is that the existing published financial aid policy of the institution must be included within the provisions that are used for athletes. If that policy includes the possibilities of awarding aid based upon unusual abilities of various types, athletes should be considered in

that way. They should be treated no better, and they should be treated no worse. They should not be discriminated against.

The second guideline is if a package is put together, the packages for athletes must not be distinguishable from the packages prepared for the student body in general, within the total pattern.

The third guideline, for those responsible for determining and certifying compliance, would be that the total aid to athletes as a percentage of the total aid of the institution must be roughly equivalent to the percentage of athletes within the student body.

Specifically, proposal No. 57 identifies and prohibits two practices that have been the chief cause of the disparity in packages. One is the establishment of a quota of the number of recipients for financial aid in athletic patterns. The second prohibits the setting aside of funds for the enrichment of financial aid packages. With that brief description, Mr. Chairman, I believe it would be appropriate to proceed to the amendment to the amendment, proposal No. 57-1.

Eugene M. Haas (Gettysburg College): I would like to move the adoption of an amendment to the amendment, proposal No. 57-1.

[The motion was seconded.]

Mr. President, I do not have the status or stature of the impact of the chief executive officer of one of our institutions. However, I want everyone to fully understand I have been instructed by the president of Gettysburg College, Charles Glassick, to speak vigorously against proposal No. 57. I intend to do exactly that.

First of all, it constrains institutional opportunity in this organization. Constraint should be imposed only when vital to the life of the organization. We have heard the expression of the Division III philosophy, and I should like to point out when this legislation was instituted several years ago, absolutely no reference was made to the composition of financial packages, or the "sweetening of the package" philosophy that we have heard during this Convention.

It relies strictly upon financial aid based need being sufficient in constraint, and telling institutions how they may distribute that financial aid is unnecessary and undesirable. Many Division III institutions divide financial aid into several categories, such as aid for outstanding scholars and musicians; and why should we discriminate against the athlete with talent? Why should we encourage deceit or lack of candor in our proceedings? Let's be open about the aid for student-athletes.

Later, No. 57-2 will come before you. It adds "except for income on endowment funds designated by the donor for the grant portion of the financial aid package of a student-athlete." It is my personal opinion that you can't equalize competition. I have heard this phrase being mentioned in support of No. 57. I think that all we have to do is to look at some of our fellow institutions in the higher categories that obviously have passed some legislation to equalize competition.

I still see the same names heading the football bowls and the basketball tournaments. We feel strongly that some institutions are blessed with a great deal of funds and money, perhaps an endowment as

well as other sources. We believe that the richer get richer and the poorer get poorer, because there are some institutions that have a greater amount of funds than Gettysburg and our sister institutions. They, in turn, can provide a very high percentage of funds to every student; some don't have that privilege.

Another great concern to us is what comes next in the area of legislation? Will the next step be to dictate a certain percentage of grants, such as the 30 percent figure, the 40 percent or 50 percent, whatever it may be, in the formation of a grant package for student-athletes as well as other students?

Mr. Weller: On behalf of the Division III Steering Committee, I would like to speak against this amendment. I appreciate the speaker's comments about the loss of autonomy, and I am sensitive and sympathetic with that problem. I will point out to you that is the only way in which groups can govern themselves—by sacrificing some autonomy for the wishes of the group as a whole.

It is clear that within Division III, as expressed in our discussions last year, the majority of the institutions are concerned about this problem and want to work at solving it. The provision that is proposed to be removed speaks directly and precisely to the practices that cause the disparity of aid programs. We substantiate it and affirm the clear position of wanting that change which took place in the straw vote last year and in the straw vote yesterday morning, in which the group voted not to eliminate these particular sections.

I believe, Mr. Chairman, in the interest of Division III and for the good of our individual institutions, in the development of a sound and integrated philosophy, these portions should be retained in the original proposal.

David R. Ocorr (University of Rochester): Proposal No. 57 occupied more than two hours of deliberation in the round table. Subsequently, amendments were submitted. Because the amendments and proposals still are unable to embrace all of the Division III philosophy, I believe it is premature and divisive to that division. Proposal No. 57 invades institutional autonomy.

President Thompson: You should be talking to No. 57-1, the amendment.

Mr. Ocorr: I am talking to all, I think. It is vague language, and its inattention to institutional variances within need clearly demonstrate it should be returned to the drawing board. I urge the defeat of proposal No. 57 and its amendments.

Robert E. Raymond (Slippery Rock State College): Yesterday at our round table, I listened to the two hours of discussion and suggested that I can live very well with proposal No. 57-1. This proposal is what Division III originally came up with in basing financial aid on need. Now, proposal No. 57-2 makes such a change in it that the institution becomes hamstrung. I recommend, as the gentleman from Gettysburg, that we can support No. 57-1 and not support No. 57-2.

However, if proposal No. 57-1 is defeated, I would recommend that we defeat the entire proposition.

Edward W. Malan (Pomona-Pitzer Colleges): Mr. Chairman, I would like to call to the attention of Division III, in looking at proposal No. 57-1, that proposal No. 57-2 is what the steering committee guaranteed we would submit on behalf of Division III and which received a favorable vote at the round table. Due to a technicality, the steering committee was not able to be listed as the sponsor; and, therefore, Pomona-Pitzer Colleges is shown as the sponsor.

If No. 57-1 is approved, No. 57-2 then will be moot.

Thomas A. Spragens (Centre College): I think the statement you just made has pointed out the awkward procedural position which we are in. Logically, it would appear to me that proposal No. 57-2 should be the amendment voted upon first—to make the last sentence in conformity with the general view of the round table. That may be done without eliminating the possibility of voting on No. 57-1.

Indeed, it then would be appropriate to vote to eliminate the entire section and nothing would be lost. For this reason, I move, sir, that we proceed to vote on No. 57-2 and then on 57-1.

[The motion was seconded and approved.]

Mr. Malan: I move the adoption of proposal No. 57-2.

[The motion was seconded.]

Mr. Weller: In the discussions at the round table yesterday, a problem arose. There are many institutions that have funds in their endowments that are designated for use in aid to athletes. If an institution has that situation and this proposal is passed as it now stands, it would put it in the extremely awkward position of having to either violate the regulations of the NCAA or to violate the trust it has been given in the receipt of those funds.

Therefore, we sought to write an amendment that would clarify an exception for this kind of circumstance. That exception is the one listed as No. 57-2. The purpose of it is to exempt the income from endowment funds that are used in the grant portion of a package for an athlete. I should also point out that this amendment was written at a voting request of the round table yesterday. I would make this comment: there are those who believe the approval of this amendment would defeat the purpose of the original motion and would, in fact, enable an institution significantly to adjust the packages for athletes because of these endowment funds.

You should note carefully the fact if the proposal as a whole is passed, the first section, the obligation of the institution not to use funds to distort packages, still would be applicable. Therefore, I suspect an institution would take money from endowments and designate it for an athlete to use in the same package that would be proposed for that person regardless of the source of funds.

In effect, the designated funds would replace the general funds of the institution that the athlete would have received anyway. It seems to be an out for a president of an institution with joint responsibilities, both to donor and to the NCAA, without significantly violating the intent of the original proposal No. 57.

David E. Sweet (Rhode Island College): My concern about the

language of No. 57-1 is that it places endowment funds in a specific, special category and distinguishes the endowment funds from the other kinds of funds that may be given to a college for a specific purpose of helping the athletic program. Specifically, funds that are collected year-by-year instead of those that come from the endowment are not protected by the language of this amendment.

It seems to me that this is setting up a special category of institutions that have endowment funds and acts to the detriment of those institutions that do not. For that reason, I would urge the defeat of No. 57-2.

Robert F. Ducatte (Rensselaer Polytechnic Institute): I wish to urge the defeat of No. 57-2, as well as No. 57-1 and the original amendment. I have changed my thinking since yesterday for several reasons. It appears that after two hours of discussion we are in a complete state of disarray. We don't really know what we want. I suggest we wait another year before we make the decision affecting as many schools as we are.

At RPI, we do not follow the procedures that several universities do in sweetening the financial aid package. I am speaking against my own school; but I would like to have the opportunity of moving in this direction, rather than having other schools more restricted than they are now.

I also believe the steering committee is leaving the membership in a state of confusion. I think our athletes, if we do restrict the financial aid awards as we are attempting to do, are being discriminated against as opposed to the music students and other students on campus who are getting special awards.

Raymond J. Whispell (Muhlenberg College): Mr. President, since I did not have an opportunity to discuss this question in the round table—because I chaired the meeting and it wasn't appropriate for me to do so—I believe it now is appropriate for me to state as clearly and as precisely as I can how I feel on this subject. I seem to be in the minority group, possibly alone on the steering committee. I probably am a minority within Division III. However, I find it important enough to take up the time of the Convention to point out to the previous speaker that the intent of bringing proposal No. 57 in its purest form, as it was presented to the Convention, was to bring the former "Bridgewater Proposal" to the Convention with the idea that the Convention would have the opportunity to vote on a Division III philosophy.

Now, the facts of the matter are that proposal Nos. 57-2 and 57-1 do water down the proposal and do not give the Convention the opportunity to address themselves to the real issue. The issue is, does Division III, in fact, want a policy that prevents each institution from awarding student-athlete scholarships in the same manner that is available to all students? I urge defeat of proposal No. 57-2 and the defeat of 57-1, and I urge that you consider whether you want a Division III philosophy. If you don't, vote down No. 57, too.

[Proposal Nos. 57-2 and 57-1 (page A-35) were defeated by Division III. Proposal No. 57 (pages A-34-35) was approved by Division III, 84-63.]

Division III Criteria

James P. Sullivan (Boston State College): On behalf of the Council and the Division III Steering Committee, I move the adoption of proposal No. 58.

[The motion was seconded.]

Proposal No. 58 merely defines more precisely those institutional awards that may be classified as awards of circumstance. Specifically, it says the award must be presented by the college or the university and not by an outside agency; and it requires the institution to adopt and publish objective criteria for the award.

[Proposal No. 58 (pages A-35-36) was approved by Division III.]

Sports Sponsorship Criteria

John R. Davis (Oregon State University): I move the adoption of proposal No. 59.

[The motion was seconded.]

Mr. Chairman, this proposal would provide an opportunity for an institution, with approval by a two-thirds majority of the Council, to include one sport in which the NCAA does not conduct a championship meet or tournament to meet the sports sponsorship criteria.

First, this would provide for only one sport at each particular institution. It would not be broadly based to provide for one sport across the board. It would only be this one institution, and that institution would be required to administer the sport and conform to all provisions of the constitution and bylaws.

It would provide, I would imagine, on behalf of the sponsoring institutions, some direction to the Council that intercollegiate competition would be consistent with the criteria in Section 4. It would not relieve those institutions from meeting the criteria, but it does provide an opportunity for an institution that has a traditional sport or a sport that is truly an intercollegiate activity at that institution to use this to meet the criteria.

In my own case, we have a sport at Oregon State University that has been difficult to get recognized as an NCAA championship sport because of differences of opinion across the country. It is a sport that is an Olympic sport. It does provide a great deal of competition on the West Coast. In fact, the Pac-10 Conference has a championship approved. For those reasons, I urge the Convention's support of this proposal.

Franklin Lindeburg (University of California, Riverside): As a Division II school, I speak against this amendment. I urge those in Division II to vote against it. We are members of the NCAA, we have NCAA-sponsored sports. These are the sports we should use in our counting.

[Proposal No. 59 (page A-36) was approved by Division I, 136-101, and defeated by Division II.]

Sports Sponsorship Criteria

Tom Parac (Montana State University): Mr. Chairman, I move

adoption of proposal No. 60.

[The motion was seconded.]

Wrestling is the only sport in which it is required that a full complement of participants wrestle in a match for the sport to count in the sponsorship criteria. We feel that it is extremely important to give wrestling the same consideration as other sports, allowing some leeway for injury during a particular trip on which three or four matches are conducted and still be able to count those matches toward their total requirement for sports sponsorship.

[Proposal No. 60 (page A-36) was approved by Divisions I (121-94) and II (62-42).]

Enforcement Procedure

Burt Brody (University of Denver): I move the adoption of proposal No. 61.

[The motion was seconded.]

I would like to clarify a few points. First, I would like to say there has been some misunderstanding, as I see it. This proposal is not intended to say that the existing program is not an improvement over the past. The sponsors simply are attempting to improve what now exists. In addition, this proposal is not intended as any criticism either of individuals on the staff or individuals who have served or are now serving on the infractions committee.

This proposal is—in good faith—an attempt to improve the NCAA enforcement program. We believe that the membership wants more and better NCAA enforcement. This is an attempt to do both. Without rehashing a lot of the things that have been said, argued, printed and written over the last two or three years, I simply would suggest to the Convention that where there is so much smoke there must be some fire; and all the criticism, some of it correct and some of it incorrect, indicates there is a significant number of people who have serious questions and would like to see some move forward.

This is that attempt. The present program works admirably in situations where there are no factual disputes. However, if people disagree as to what has occurred, the program as it now exists is unsatisfactory. Proposal No. 61 seeks to improve the NCAA enforcement program in a number of ways. Those of you who have attempted to read it, and I understand it is a record-setting proposal, know that it makes a lot of changes. I will try this morning to outline for you what I consider to be the essential improvements.

The first is that it provides a fuller fact-finding procedure. It does so in the belief that as more facts are revealed, more kinds of settlements can be reached. It also encourages and requires clearly full cooperation. Significantly for people in this room, the athletic directors and coaches who may be here, it guarantees that all parties who are affected by proposed enforcement action will be able to participate in those procedures that can, as all of you know, seriously affect your personal lives and your professional careers. It also attempts to separate the investigatory power and what I described as the accusatory power from the adjudication power under the procedures.

It also seeks to increase membership responsibility for supervision of the enforcement staff. Finally, it modifies the conduct of campus hearings on the eligibility of student-athletes. I think it sets up procedures that recognize the valid trusts of the Association and the efficiency and quick ruling; and also it recognizes the valid concern of the member institution and gets the institution, as I think I said at one of the round tables yesterday, out from "between the rock and the hard place" in that it can give a student a fair, full hearing and still be in compliance with their requirements of membership.

In summation, I would simply say that the proposal calls for improvements in enforcement that are widespread and longstanding. The Association insists on our right to run our own business. I believe that No. 61 presents an opportunity to us to respond responsibly to the call for change that has come from our colleagues.

Daniel G. Gibbens (University of Oklahoma): Mr. President, it is fairly well known, I think, that the University of Oklahoma is no stranger to the NCAA and conference enforcement procedures. (Laughter) We are not proud of that record, and we are working to change that record in the future. We have encouraged Professor Brody in his draft and for his amendment, again not because we are critical of our present enforcement procedures but because we believe strongly they can be improved.

I think we all agree in principle that our enforcement procedures should be above reproach when it comes to concepts of fair play. This amendment in its entirety would move us toward that goal in several different ways.

There is one important way that I want to call your attention to, that I think really does importantly move us towards that goal of being above reproach. That is the establishment of the two committees to perform the two separate enforcement functions of investigation and adjudication, as distinct from proposal No. 63 that will be considered later and addresses the same problem in a different way. We need to have complete supervision of the investigative function from beginning to end by one committee. But we also should have a second committee that has no built-in attachments to the investigative staff to adjudicate the infraction. Our present single-committee system has served us well in the past, there is no doubt about it, but truly it is not beyond reproach from the standpoint of many combinations of functions.

It is for this reason that I ask you to give favorable considerations to proposal No. 61.

Charles Alan Wright (University of Texas, Austin): Mr. President, I speak in opposition to proposal No. 61 at the request of the Council. I appreciate the comments by Mr. Brody and Mr. Gibbens that proposal No. 61 should not be regarded as critical of any person in the present enforcement procedure. I never have understood it otherwise. Indeed, an analysis of proposal No. 61, seems to me to be a possible attempt of various critics of various enforcement programs to propose constructive alternatives. I think it has nothing to do with personalities. Therefore, I feel no embarrassment in saying to you that I believe you would make a very serious mistake if you were to abandon the program

that has been developed gradually over the past six years and make the drastic changes proposal No. 61 calls for.

I do not think in opposing proposal No. 61 I am defending the status quo. Indeed, the most striking fact about the NCAA's enforcement program I have seen in the past is that it is not static. There has been constant change from meeting to meeting. The Committee on Infractions has discovered problems that were not anticipated when you changed the procedure in 1973 to the extent that internally there have been some changes in our practices. We have come back to you on numerous occasions over the years to make changes in the enforcement procedures described in the NCAA Manual.

Several additional proposed changes are sponsored by the Council and supported by the committee, and will come to you later if Proposal No. 61 is defeated, as I hope it will be. I think there is a right way to make changes in procedures: to learn from experience and to make a change specifically to a perceived or failed need, rather than to abandon the experience in the years and plunge into a completely new system—and one that in my limited prediction will produce effects neither its sponsor nor you would like.

Mr. Brody said we want more and better enforcement. I think this would mean much less enforcement. The great majority of the institutions that are involved in violations of NCAA legislation have as their principal goal having the matter brought to an end as quickly as possible. There are pragmatic reasons for this, at least in the case of major institutions where rumors of NCAA violations are likely to reach the press or at least recruiters for schools in your area.

But the mere pendency of an NCAA investigation puts you at a recruiting disadvantage. I think there are principal reasons why this is the attitude of those that come before us. In most institutions, when they find they are or may be in violation of the NCAA legislation, they are deeply embarrassed by that fact. If, indeed, what has happened is a violation, they want to know; and they want to take corrective action, clean their own house and proceed as members in good standing and law abiding members of the NCAA.

These members were impatient with the delays that exist already in the procedure. For those institutions, proposal No. 61 is a very serious step backward. Proposal No. 61 creates an extraordinarily cumbersome procedure. You have two committees. The first is a 10-member Committee on Infractions that would supervise investigations. You would first have to do the supervisory work of the investigation itself, then consider whether to issue a formal inquiry and then at a later time decide whether to make a formal charge.

All this takes place before the matter could possibly come for adjudication. If a formal inquiry were issued under proposal No. 61, it could not be set for hearing in less than four months from the date the formal inquiry went out. Then it would be heard before the adjudication committee and more time consumed. The possibility of expeditiously moving forward would be lost, not only because of the time limits but because the division responsibility between two committees acting as they contemplated would make it impossible for any acceler-

ation of the procedure feasibly to take place.

There are, I regret to say, among those who come before us—and I don't even want to say there are institutions that fall in this category—but there are perhaps individuals who have been associated with institutions that have come before us who are not interested in having the facts established; whose goal it is, if at all possible, to be exonerated on matters of which they may very well be guilty. For those institutions, proposal No. 61 would be a godsend. I do not see how you ever could establish a charge of violation, given the procedures that proposal No. 61 calls for, against someone who is unscrupulous enough that they are willing to manipulate and suppress evidence. They would have the advantage of knowing at a very early stage all the staff has been able to gather and manipulate the response in a way it would attempt to show no violation or to minimize the penalties of the violation.

I think even under our present procedures there are many violators who are not found guilty, simply because of the difficulty of a voluntary Association with no subpoena power and no power to punish for perjury, the unwillingness of young men and young women to be involved in making charges against the major institutions and the strict proof that the infractions committee has required before it makes a finding of violation. That is what we have to do in the interest of fairness and due process.

I think what proposal No. 61 asks of us would be to make it possible for many more people to escape to protection, even though they have, in fact, violated NCAA legislation. I don't see that it would be a significant advance in modern fairness or due process, and I hope you defeat the motion.

Stephen Horn (California State University, Long Beach): As you know, Mr. President, on the agenda is proposal No. 61-1, which, in essence, is one way to deal with the matter before us. Before moving that and speaking to the main question, I would first like to commend the sponsors. I think the Convention and the Association ought to be particularly appreciative of the individuals who will dedicate this type of effort and time in an attempt to solve what is a very real problem and one that we cannot sweep under the rug, and one that we must grapple with in our own institutions and systems of higher education almost every day.

We are in an age of due process. It is not a question of what we might like to do or what might have been appropriate to do or what might be more convenient to do when we were a smaller organization perhaps living in a less complicated world. The question is, should this organization have any less standard of due process than we must render right now in many of our institutions, certainly in the public institutions which are coming under the state-action clause of the 14th Amendment. We live with this problem in faculty, staff and student affairs every day at these institutions.

Certainly, member institutions would lend an effort to try to improve our processes and to get a broad consensus. Thus, in order to prevent this proposal from being killed, because frankly I think many people have not had an opportunity to review it carefully with their legal

counsel and to discuss it, I think it needs more time. I have proposed in No. 61-1 what essentially is a motion that proposal No. 61 be referred to the NCAA Council, with instructions that the proposal be referred to member institutions to secure the reactions of their legal counsel in terms of state law and regulations and system and institution policies, as appropriate, by April 1, 1979; further, that the NCAA Council convene a meeting of legal counsel and others from member institutions who wish to participate to review the responses and to present a revised version or versions to the next special or annual Convention of the Association held after July 1, 1979.

This would not really cost the NCAA Council or the Association any money. I think the number of institutions that are interested is substantial, and I would like to believe it is not simply the institutions that have been recipients of the current or past enforcement process. I would like to believe that it is the institutions that are advocates of due process in the conduct of their daily business. I just would hope that the NCAA Council might render this service.

If this particular type of instruction is defeated, I would hope the sponsors not be discouraged; but that we do this on our own in a voluntary way, come back to the next Convention after really hashing through this line by line with a broad range of institutions and offer this and continue to offer it until you get the type of due process that the Federal government has had since 1946 and most state governments certainly have had in the past decade.

Therefore, Mr. President, I move the adoption of No. 61-1, which I have just read to the Convention.

[The motion was seconded.]

Seaver Peters (Dartmouth College): I, too, commend the gentlemen who submitted No. 61 for their interest, initiative and I think obviously their motives. And to the mover of No. 61-1, it seems to me to be a cumbersome process, and I think an unnecessary requirement or procedure. Further, it strikes me as being awkward because you are referring it to the Council, which is to refer it to the member institutions to secure reactions of their legal counsel, etc., and then the NCAA Council is to convene a meeting of legal counsel and others. I think it is awkward, cumbersome and unnecessary.

Frankly, I think a number of members, I know we are included, did receive some legal advice and counsel. I urge No. 61-1 be defeated.

Daniel P. Starr (Canisius College): Mr. Chairman, I also speak in opposition to No. 61-1. I also see no need for a wholesale overhaul of the existing program. In fact, it seems to me the House Subcommittee's hearing in effect did some of that. They were, in effect the equivalent of a blue-ribbon panel. It seems to me that other amendments in the Convention Program subsequent to No. 61 help rectify some of the past problems in regard to the NCAA enforcement.

Just a few years ago, my institution was investigated thoroughly by the NCAA; I found it to be a long and grueling experience, and I am not here to recommend it to anybody. (Laughter) We were penalized and it hurt our basketball program considerably. By and large, I found the NCAA investigation to be fair and, in fact, told Warren Brown that

after the penalty was received. We were found in violation, penalized and hurt, but we received justice.

To reiterate from first-hand experience, it seems to me the process basically has been fair. There were some things that our institution thought should be rectified, and I think this past year the House Subcommittee brought to light the need for some of the changes in the NCAA enforcement program. I feel these would be met by some of the NCAA-sponsored amendments. I think to go beyond that would be redundant, and for any other kind of additional panels and review boards to be set up would be unnecessary.

I, therefore, urge you to vote against No. 61-1. It would involve, I think, a considerable expenditure of money and a waste of that on the part of the NCAA.

James R. Doyle (Creighton University): I strongly would recommend adoption of the referral as the most receptive and reasonable approach in reviewing our enforcement program. A great deal has been written about the pros and cons of the current enforcement program. I feel this would elicit the most representative opinions, and I feel it would give us the types of concerns that have been expressed in the papers and in our institutions over the past Conventions.

Stanley J. Marshall (South Dakota State University): I urge the defeat of proposal No. 61-1 as well as proposal No. 61, plus the other amendments; and I urge the adoption of Nos. 62 through 67. In my view, No. 61 represents a continuation of harassment of our enforcement program. We have had a recent sample of the "blue-ribbon committee" operation in the morning paper with headlines like "House Panel Tells NCAA Shape Up Or Face A Probe."

There are several on that Subcommittee, including Representative Lent of New York, who recognize the unfairness and the heavy-handed manner in which that whole operation was orchestrated. I want to read what he has to say.

And I quote Congressman Lent: "I frankly feel a little uncomfortable being a part of this process where the rather heavy hand of the Federal government serves as a threat and not a veiled threat, but an open one. If the NCAA doesn't act on these demands, there will be Federal intervention. I don't think it behooves us to hover over the NCAA as we are doing here and say, 'By God, if you don't do what we think is right, we will get you.'"

That is a blue-ribbon committee. I think there are many good reasons why we don't need that. We do have the mechanics for change. We have been in the process of change. We have an adequate program and we have made the corrections as we have come along. In 1978, we adopted a "Statement Of Operating Policies" approved by this membership. It is in effect. The review continues.

Proposal Nos. 63 through 67 represent taking that step in an orderly fashion. In addition, I don't share the great concern that President Horn speaks about as to what the courts might do. Our record in court is excellent. It is as good or better than any other group I know of. I don't see where this great concern comes from.

I would come back to one basic principle. This is simply that the presidents and the faculty have told us many, many times over the years to adopt fair, democratic rules and enforce them. The presidents got considerable publicity in making those kinds of statements. The Association has done precisely that. Now, some presidents and others are saying we didn't mean enforcement here, we meant over there some place. I submit that we need to support our enforcement people.

We have asked them to do a very difficult job and they need our strong support.

Unidentified Delegate: Mr. President, at this time I would oppose the motion for referral, on the grounds it doesn't imply that our present processes are what would appear to be fundamentally unsound, because it does instruct the Council to come back to the Convention next year with a revised version of No. 61. It seems to me all of that implication is committing us much too heavily toward No. 61. I, therefore, oppose the resolution for referral.

[Resolution No. 61-1 (page A-65) was defeated.]

[Proposal Nos. 61-2-61-4 (pages A-65-66) were withdrawn.]

[Proposal No. 61 (A-36-65) was defeated.]

Enforcement Policies

Charles Alan Wright (University of Texas, Austin): On behalf of the Committee on Infractions, I move adoption of proposal No. 62.

[The motion was seconded.]

Proposal No. 62, like proposal No. 63 that will come up in a moment, is intended to make it clear that the Committee on Infractions has no role in the investigatory stage of infraction cases. That is the practice as I have known it in my entire service on the committee. However, from reading the book, one could well misunderstand the practices—as some of our best friends in the last year have done.

The present provision, that the committee is to give general guidance to the staff in the development of information related to violations, suggests we are concerned with details of specific cases—that we tell the staff which persons they ought to interview and things of that kind. We don't do that. It ought to be made clear so all can know. The Committee on Infractions has no role in the investigatory process.

This proposal will do it by deleting the language of the guidance of the committee in two places where it appears, and substituting a general provision that the staff operate in accordance with policies and guidelines that we have established.

[Proposal No. 62 (pages A-66-67) was approved.]

Enforcement Policies

Mr. Wright: On behalf of the Council and the Committee on Infractions, I move adoption of proposal No. 63.

[The motion was seconded.]

This has the same purpose, Mr. President, as proposal No. 62, which was just adopted. The existing Manual says the Committee on Infractions authorizes the issuance of letters of official inquiry, and

some have understood that to mean that the Committee on Infractions hears all the facts, decides whom to issue a letter of official inquiry and, therefore, necessarily is prejudiced about the case when it comes up for adjudication.

Again, this is not the way we function. The staff says we would like to issue a letter of official inquiry to "X" University and we say yes. This proposal takes us out of one aspect of our work in which we have, in fact, been a rubber stamp for the staff and puts that responsibility directly on the staff to decide when they want to issue a letter of official inquiry. If the staff issues letters of official inquiry on flimsy cases, those cases will come before the committee; and you can be sure the committee will make known its displeasure to the staff if they abuse the responsibility.

[Proposal No. 63 (pages A-67-68) was approved.]

Time Period

Joseph R. Geraud (University of Wyoming): On behalf of the Council, I should like to move adoption of proposal No. 64.

[The motion was seconded.]

This proposal is addressed to the question of how far back an investigation can go in seeking out evidence of infractions. It sets forth, in fact, a four-year period of limitations, except in those situations in which a pattern of common violations is found. This will enable the investigation to look into the practices that led to the determination of possible infractions.

[Proposal No. 64 (page A-68) was approved.]

Development and Presentation of Information

Mr. Geraud: On behalf of the Council, I move adoption of proposal No. 65.

[The motion was seconded.]

The purpose of this proposal is to set forth the obligation of the parties to a hearing to provide full information at that time. It applies to representatives of those involved in the infractions and involves the obligation of the investigatory staff.

[Proposal No. 65 (pages A-68-69) was approved.]

Consideration of Information

Mr. Geraud: On behalf of the Council, I would like to move the adoption of proposal No. 66.

[The motion was seconded.]

This proposal is intended to establish a standard of evidence for the matters that will be considered in a hearing. It is an effort to provide some definition as to what will be considered. The second portion attempts to establish a standard as to what will be considered persuasive to those that must judge the case.

[Proposal No. 66 (page A-69) was approved.]

Enforcement Policies

Charles Alan Wright (University of Texas, Austin): On behalf of the Council and the Committee on Infractions, I move the adoption of

proposal No. 67.

[The motion was seconded.]

This codifies what is, in fact, present practice that perhaps could be misunderstood. The present book says the committee may request additional information from any appropriate source, including the staff. It was suggested in Washington that the committee calls in the staff to present additional information that has not come out in the hearing, but that never has been done. Of course, it ought not to be done.

The adoption of this proposal will make it clear that it cannot be done. If there is any new information asked for, both the staff and the institution must be represented at the time the new information is presented to the committee. In fact, most of the time when we ask for new information, it is from the institution. I can remember on two instances when we have asked the staff for information, and the institution's lawyer went out with a member of the staff and gathered it jointly. This simply will make it clear that we do not receive ex parte information dealing with violations.

[Proposal No. 67 (pages A-69-70) was approved.]

Voting Privileges

Dick Oliver (Southland Conference): I move the adoption of proposal No. 68.

[The motion was seconded.]

The purpose of No. 68 is to penalize those institutions that have been placed on probation through enforcement procedures by taking away voting privileges at annual and special NCAA Conventions. Further, it would require editorial changes in the enforcement procedures, taking the loss of voting privileges from an optional factor and placing it in the bylaws.

John W. Sawyer (Wake Forest University): I am a member of the infractions committee. I personally would like to retain the option we have now, rather than making the removal of voting privileges mandatory. One pattern we very often find is that an institution's administration wants to clear up what has gone on in the past.

They have gotten rid of the individual that caused the problem, they have put everything in order and they are good citizens. I see no reason to punish them further by not letting them participate in these deliberations.

Gordon Skinner (University of Cincinnati): We recently have gone through the enforcement procedures and have been satisfied with the process. Our punishment applies to only one sport. The impact of this amendment would prohibit us from having any say in all the other matters which affect our institution, and of which we have not been found guilty.

[Proposal No. 68 (page A-70) was defeated.]

Institutional Control

Charles Alan Wright (University of Texas, Austin): On behalf of the Council and the Committee on Infractions, I move the adoption of

proposal No. 69.

[The motion was seconded.]

Mr. President, unlike proposal Nos. 62 through 67, this proposal does not speak to the enforcement procedure. This involves a question of substance. It did come out of the Committee on Infractions, but it is an attempt to make clearer a portion of our Manual that has given a number of our members a great deal of difficulty.

We often have institutions come before us and say, oh, yes, "X" did this but he is not a representative or an athletic interests; and, therefore, we are not responsible for what he did. The existing Manual has been deficient, because if you look in the index, all you can find is Official Interpretation 102. That deals only with recruiting. It does not deal with extra benefits or other things. You have to go to Constitution 3-2-(b) in order to find the institution's responsibility under the circumstances.

The first improvement this proposal will make is to combine the two provisions of O.I. 102 and Constitution 3-2-(b), so the index will take you to the complete definition of those people for whom you are responsible. It also introduces some clarification and simplification in its concepts. The present Constitutional provision, if read literally, would mean if the minister of my church invites an athlete over to speak to a young people's gathering and gives him a free meal, that the institution is responsible; because, in fact, an athletic staff member is a member of my church. I don't think that is what the Association ever intended on the amendment. The definition here pinpoints what your intent always has been—to tie representation of your athletic interests to those who are promoting your athletic interests, whether they be organizations or individuals.

[Proposal No. 69 (pages A-70-71) was approved.]

[The Convention recessed at 12:03 p.m.]

FINAL BUSINESS SESSION

Tuesday Afternoon, January 9, 1979

The session convened at 1:30 p.m., President J. Neils Thompson presiding.

6. PROPOSED AMENDMENTS.

Stephen Horn (University of California, Long Beach): I would hope there might be some discussion that perhaps we could probably work through most of these proposals and finish the business of the Convention today. I would hope that we would try to follow that schedule and not convene tomorrow.

President Thompson: Let me say that we have some difficulties in completing reports, and they cannot be completed until tomorrow. So it is essential that we have a session tomorrow. There is no other way we can accomplish our business.

Mr. Horn: Would it not be possible for the reports to be received, as long as there was an agreement that no legislation was undone tomorrow?

President Thompson: From a legal standpoint, including the mere problem of electing the Council and the officers, we cannot consummate everything today. It is just as simple as that.

Financial Aid Definition

William A. Ferguson (University of Illinois, Champaign): I move adoption of proposal No. 70.

[The motion was seconded.]

This is a relatively simple proposal that changes the phrase "tuition and fees" to "tuition and mandatory fees" and permits the use of required books instead of the purchase of required books. It also permits the use of required equipment and required supplies, a non-trivial item for students in art, architecture, various sciences and engineering.

[Proposal No. 70 (pages A-71-72) was defeated, 281-165 (two-thirds majority required).]

[Proposal No. 71 (page A-72) was withdrawn.]

John W. Kaiser (St. John's University, New York): I move that proposal No. 72 be adopted.

[The motion was seconded.]

We have a young man on our varsity basketball team whose father is a completely disabled veteran. New York has initiated a state program that would allow small stipends to people in this category for the education of their children. Upon inquiry of the NCAA national office and Council, we were refused permission to allow him to receive this award over and above his athletic grant.

The reasons included that there was no specific language in the present regulations to permit this. Also, the possibility that this could be a recruiting gain for one school in New York over another outside the state. In this instance, the student already was in school. In the legislation before you, the language of permission is included, so if it is approved the Council would have the option of allowing the award.

Secondly, I found out there has been no other instance of an inquiry about this type of award. That, coupled with the fact that the parent has to be a disabled veteran, indicates there would be few inquiries of this fashion. The stipend for the New York award totals \$450 for the year. That is so minimal that I really believe it would not be a factor in a young man, especially a blue-chip athlete, choosing one school over another.

Joseph R. Geraud (University of Wyoming): I believe the Convention has heard the merit of this proposal. Beyond this proposal, though, is a significant matter of some substance with regard to the present nature of NCAA constitutional legislation. Until this time, the exceptions of different kinds of assistance that are made for common educational expenses have been restricted to those kinds of programs that are administered on a national basis. This proposal would set a precedent and perhaps would open up a need to investigate and determine what other states do.

I don't know how many other kinds of disabled veterans' programs there are, but there may well be other kinds of state programs. It is a matter I think the Convention could consider in its vote.

[Proposal No. 72 (pages A-72-73) was approved, 311-147.]

Exempted Players

Charley Scott (University of Alabama): For the NCAA Council, I move adoption of proposal No. 73.

[The motion was seconded.]

The lead sentence of this bylaw states a player need not be counted in accordance with the following maximum awards limitations provided. This new section would be another provision. It provides conditions for not counting an athlete who seems to be restricted permanently for reasons of injury or illness. The count would terminate at the beginning of the next academic year and would apply to the total count only.

The first subparagraph provides a method to return to counting those who seem to be permanently restricted but recover. The count reverts to every year of financial support. Paragraph (2) provides some relief if the earlier decision was legitimate.

[Proposal No. 73 (page A-73) was approved by Divisions I and II.]

Exempted Players

Robert F. Ray (University of Iowa): Mr. President, I move the adoption of proposal No. 74.

[The motion was seconded.]

Proposal No. 74 would exempt from the Bylaw 5 counting procedure a recruited athlete in sports other than football or basketball who is receiving financial aid not based upon his athletic ability. I would call

your attention to section (b) of that provision, which would remain as it is, excluding the counting procedure for the nonrecruited athlete.

Also, Mr. President, if No. 74 passes, then the second part of No. 77 would be moot.

[Proposal No. 74 (pages A-73-74) was approved by Division I, 140-97. A subsequent motion for reconsideration (see pages 141-142) was defeated.]

Determination of Financial Need

Harold Abel (Central Michigan University): On behalf of the 20 institutions listed in your program, I would like to move the adoption of proposal No. 75.

[The motion was seconded.]

Very simply, sir, this proposal specifies that student-athletes in all sports other than football and basketball at Divisions I and II member institutions may be awarded only that financial aid that is on the basis of need, except for tuition and mandatory fees which may continue to be offered.

This proposal establishes the procedures for determination of such need. At a time when high costs are facing all of us, I believe we need a proposal in sports other than basketball and football that provides us an opportunity to meet the financial need of all of our student-athletes and, at the same time, saves the institution some money. I might add that the recent interpretations which have come forth concerning the Title IX proposal may make it mandatory for us to save as many dollars as we can.

Incidentally, the exemption of basketball and football will test whether or not HEW will, indeed, treat these differently. I believe we very soon will have a court test.

Jack R. Wentworth (Indiana University): Although I recognize it may not be too long before we will be facing the possibility of financial aid on a need basis for all sports, Indiana University is disagreeing with its Big Ten colleagues for two reasons on this particular proposal. The first is that we believe it detracts from the broad, total sports program by establishing two categories of eligibility, that of the revenue and the nonrevenue sports.

Secondly, and probably more importantly, since it would only affect men's sports, the counsel we have received indicates that individual institutions could be subject to reverse discrimination suits. In effect, we would be establishing two levels of opportunity for financial aid, one for men and one for women. Therefore, we are voting against No. 75.

Stephen Horn (California State University, Long Beach): I agree with the delegate from Indiana. I can understand the concern of many delegates at the Convention over the possible impact of Title IX. As many of you will recall, this issue has been before us in a previous Convention; and momentarily we even agreed to it at one time. But I think common sense prevailed in the long run when this Convention decided not to have two classes of student-athletes—those who can bring in money at the gate, paid gladiators, if you will, in football and basketball, and those who do not bring in money to the gate.

I fear that if we go that route we will be involved in such things as unemployment compensation and workmen's compensation. What concerns me primarily is the interpretation that is to be given with Title IX hovering the wings. It will look like this is the last dodge, folks, to avoid having to provide some grant-in-aid sport for women's athletics.

I think this is premature. We might well come to that conclusion after the Title IX regulations are finalized, but I would think that if we come to that conclusion we ought to do it across the board. We should not have first- and second-class citizens, telling the swimmer or golfer, "I am sorry, the institution and its national association do not think you are worthy of participation and competition." I hope the delegates will vote this down.

Glen Tuckett (Brigham Young University): I am immediate past president of the American Association of College Baseball Coaches. I speak in opposition to No. 75, and with your permission I shall include Nos. 76 and 77. I speak on behalf of the 2,700 members of the American Association of College Baseball Coaches. We believe this organization has given strong and consistent encouragement to the NCAA over the years and is in favor of the reciprocal support.

The AACBC is on record, and now has again confirmed, that it pledges its support to changes and modifications of policies that truly will save money without sacrificing the welfare of the student-athlete, the institution or the generally accepted principles and values of college athletics. The strong opposition to this proposal comes from a history of adopted involvement in and concern for the future of college athletics.

The AACBC, at its last annual meeting, unanimously declared its opposition to proposal Nos. 75, 76 and 77. We believe the adoption of such legislation will nullify many of the significant gains college baseball has made in recent years.

Also, this would appear to be a move toward an elitist group of athletes with special considerations and advantages not afforded other equally talented and deserving athletes who participate in lesser sports. These other student-athletes, both men and women, will be filled with resentment toward their football and basketball counterparts who will be receiving more financial aid. The passage of these proposals could conceivably serve as a catalyst to creating a caste system within our own athletic department. The AACBC believes proposal Nos. 75 and 76 are highly discriminatory and unfair to all student-athletes who participate in sports other than football and basketball.

James Frank (Lincoln University, Missouri): I just want to report that at the Division II round table yesterday, we took a straw vote on this proposal and voted unanimously to oppose it.

Sam Bell (Indiana University): I am the president of the Division I Track Coaches Association. I also happen to be development chairman for the Olympic Track and Field Committee. I would echo a lot of the things that our colleague from the baseball coaches association has said. I think that if this legislation passes, you will find an Olympic champion coming back to your campus not eligible for a full scholarship, like an athlete in basketball and football, who might have much

less talent but is able to receive a full scholarship. I want to reiterate that the track coaches' association voted unanimously in June to oppose this legislation. I only speak for track and field, but I do know the sentiments I have expressed have been expressed to me by coaches of other sports.

I hope we don't end up with a caste system that will be challenged in the courts as soon as it is passed.

Unidentified Delegate: The swimming coaches' association supports the remarks by Mr. Bell of the track coaches' association and urges you to vote no.

President Thompson: I would call this to your attention: if this proposal passes, "Use of required course-related books and nonexpendable supplies" will have to be deleted.

[Proposal No. 75 (pages A-74-76) was defeated by Divisions I and II.]

[Proposal No. 76 (pages A-76-77) was withdrawn.]

[Proposal No. 77 (pages A-77-78) was withdrawn.]

Maximum Awards—Division I-A Football

James Malik (San Diego State University): I move adoption of proposal No. 78.

[The motion was seconded.]

This amendment relates to the "30-95" rule. This rule has been in effect for several years. It generally is conceded that it has assisted in bringing about a more even level of competition. Despite this, there still are difficulties with the rule. Some of you are familiar with the fact that a second survey was conducted concerning the 95 limitation, in an effort to define the problem and to seek a solution. The majority of us do not have the problem of exceeding the limit of 95, but for those that do it is considered a serious problem; and some relief is sought.

Another serious problem for some is the limitation of 30 initial financial aid awards. It has existed since the legislation was adopted for some schools, while others have encountered it since that time. The problem arises from several causes. A school that recruited primarily junior college transfers when the legislation went into effect finds it almost impossible to increase its numbers or recruit freshmen without badly damaging its program.

A school that loses or releases its coach finds it very difficult to get its numbers of student-athletes back to the original number. Any school with a high attrition rate or a couple of poor recruiting years also finds it is very difficult to keep up or increase its numbers. No legislation can totally resolve the problem, but this amendment will help. This legislation would allow for a school that had less than 85 financial aid awards to be able to increase the initial grants to 35 the following year.

Of course, any conference may choose to have a stricter rule and not allow such an option. Some conferences currently do not allow the full 95 grants, and some conferences limit aid for books, for example. However, this option can only be used twice in any given four-year period and only three times in any seven-year period. In a seven-year

period, 210 initial financial aid awards can be granted. This legislation would add only a maximum of an additional 15 more and then only if the requirements are met.

The majority of us here should recognize that this amendment will be of value and not damaging to the basic 30-95 rule. If a team and your conference is struggling and this type of minimal assistance will be helpful, the school should support it.

[Note: One of the sponsors of this proposal was not eligible to serve as a sponsor inasmuch as the institution does not sponsor football. However, the Convention acted unanimously to permit Division I-A members to vote on the proposal.]

[Proposal No. 78 (pages A-78-79) was defeated by Division I-A football.]

Maximum Awards—Division I-AA Football

John B. Simpson (Boston University): Is it possible to move for consideration of No. 80 prior to No. 79? If within the rules, I would so move.

[The motion was seconded.]

Tom Parac (Montana State University): I move adoption of proposal No. 80.

[The motion was seconded.]

This is the first attempt to establish criteria for financial aid for Division I-AA football, and the sponsoring institutions believe it has some excellent provisions. It provides some common ground within I-AA, which now ranges anywhere from 50 grants-in-aid to 95. We would like to see a limit established.

Arliss L. Roaden (Tennessee Technological University): I should like to speak in opposition to proposal No. 80 and speak in favor of proposal No. 79 should we get to it. Proposal No. 79 provides a limit of 70 financial grants-in-aid; and I would urge my colleagues in I-AA to support that level, which has been sponsored by the Council.

Division I-AA is an exciting new division composed of 37 institutions. We look forward to the time when other institutions will sense the attractiveness of this new division and join us. We think the setting of some sensible and responsible criteria for this division will aid us in that regard. Now, 70 financial grants-in-aids is a responsible level for the new division; and if a subsequent proposal, which calls for 45 for Division II, is adopted, then the differential among Divisions II, I-AA and I-A clearly will delineate levels of competitiveness.

The Ohio Valley Conference, of which my institution is a member, has functioned with self-imposed limits of 55. And our opponents, at least, agree the OVC is high quality, competitive football—even with a significant portion of the games against I-A competition. Financial exigency suggests to me that we ought to be prudent in setting limits on financial grants-in-aid. We think that 70 is a prudent figure. Even beyond the financial implications, we think that going beyond 70 is unnecessary for competitiveness and could provide an imbalance among the divisions. So I would urge defeat of proposal No. 80 and your endorsement of the Council-sponsored proposal No. 79.

Mr. Simpson: I wish to call to the membership's attention that if No. 79 and No. 80 are defeated, Division I-AA will have a standard of 95 scholarships, which we feel is too rich for the blood of I-AA schools. Also to reduce lower than 75, when we currently stand at 95, is too drastic a change. I support the adoption of proposal No. 80, with 75 grants-in-aid.

[Proposal No. 80 (page A-80) was approved by Division I-AA football, 22-21.]

[Proposal Nos. 79 and 79-1 (page A-79) became moot with the approval of proposal No. 80.]

Maximum Awards—Division II Football

James Frank (Lincoln University, Missouri): I would like to move adoption of proposal No. 81.

[The motion was seconded.]

This amendment was defeated at last year's Convention by only two votes. Considering the changes that have occurred in the composition of Division II football in the past year, it is apparent to the Division II Steering Committee that the majority of the Division II members want to reduce the football limitation in our division. This proposal would reduce it from 60 to 45, based on equivalencies.

The proposal also offers a means by which those few Division II institutions that are granting the maximum of 60 awards can adjust to that new limit. With the effective date proposed, Division II members would reduce their grants to 55 by next fall, 50 in the fall of 1980 and then the new limit of 45 for the fall of 1981. The Division II Steering Committee believes the proposed lower limit is much more realistic for the vast majority of the institutions playing Division II football and also believes that it is consistent with the Division II philosophy that was adopted yesterday.

It also can be pointed out that an institution that wants to move from Division I-AA football, which can't meet the criteria for that new move, can use the provision of Bylaw 4-6(f). That permits the institutions to declare its intention to proceed to the Division II limit each year and then it is governed by the appropriate Division I limit for that year. It is eligible for the Division II football championship if it does that. But it has all the rights and privileges of Division II.

R. Dewey Halford (North Central Intercollegiate Athletic Conference): I move adoption of No. 81-1. It simply is an amendment to proposal No. 81.

[The motion was seconded.]

It is simply to delay the phasing in of the process to alleviate any problems that any institution may have that currently are operating at the maximum of 60 and recruiting on that particular premises at this time. This is only a matter of moving back the action one year and phasing in the 45 limitation.

[Proposal No. 81-1 (pages A-80-81) was approved by Division II football, 45-41.]

Mike Mullally (Eastern Illinois University): I would like to oppose proposal No. 81. Although I appreciate the fact it was amended, I still oppose No. 81. Earlier today, Division II passed proposal No. 54, which

established criteria for belonging to Division II. Within No. 54, there was a substantial degree of flexibility provided for it in Bylaw 9-2-(c)-(1), which states there can be a waiver granted to members that cannot meet the criteria on the basis of geographical difficulty, etc. The same thing can be found in Bylaw 9-2-(d)-(1). This kind of flexibility is not provided for in No. 81. Despite the fact that it only failed by two votes last year, I still would like to urge the membership in Division II to reconsider or to consider this proposition in the light of the lack of flexibility that it provides for a number of the Division II schools who are, by virtue of geographic difficulty, bound to compete against people in Division I-A or I-AA. If we are forced to compete against the four schools in Division I-A or I-AA that are currently on our schedule with 45 scholarships, while they have 75 scholarships, then, obviously, we are going to be at a serious disadvantage; and it will be impossible for us to compete for national honors because we almost certainly will be condemned to four losses.

If, however, we are allowed to have 60 scholarships, that puts us in a much better position to compete. I would like to remind the members of Division II of one other point; and that is that the present legislation that allows for 60 scholarships does not talk about minimums, it talks about maximums. If a school, by virtue of its own desires, chooses not to have 60 scholarships, there is nothing in the legislation that would force them to have 60 scholarships.

Therefore, I would urge that the proposition be defeated.

Asa Green (Livingston University): I would like to second my colleague's remarks. I think that this proposal does remove the flexibility that is necessary in order to compete against schools that will be in Division I-AA. It will, I think, mean the end of our conference within the next two to three years. We are not asking to move up, we are simply asking to maintain the status quo.

I would hope that those Division II schools that are playing football will vote to leave the limit at 60. They can have the option as institutions or as conferences of setting a lesser figure, but those of us who need flexibility will have it. I hope you will vote no on this proposal.

James L. Comer (California Collegiate Athletic Association): Our association would speak in favor of this motion. We believe that 45 grants-in-aid is consistent with the philosophy for Division II institutions with many of those in I-AA that we play from year to year.

[Proposal No. 81 (page A-80) was approved by Division II football as amended by proposal No. 81-1.]

Maximum Awards—Equivalencies

Douglas Hobbs (University of California, Los Angeles): On behalf of the Pacific-10 Conference, I move adoption of No. 82.

[The motion was seconded.]

The purpose here is simply to give a break to student-athletes. At UCLA, a tuition grant counts as .75 of a full grant-in-aid. A young man across town at a nameless private institution with high tuition gets a tuition grant and it counts as .66 of a full grant-in-aid at that institution. (Laughter) Personally, I think that this inequity is too

much to tolerate any longer.

Richard H. Perry (University of Southern California): I am from the nameless institution in the same town. (Laughter) I think certainly that if you will take a look at the language, it might appear to be somewhat complex; but if you will take a look at Appendix B, I think you will see the mathematics are simple. They are not complex, and our intent merely is to establish the principle that an organization such as this, whose primary purpose is to provide sameness of competitive opportunity, ought not to have a rule to discriminate against any class of its membership and/or to place it at a competitive disadvantage.

I doubt that anyone can look at our current rule and suspect there is not that type of competitive disadvantage.

[Proposal No. 82 (pages A-81-82) was defeated by Divisions I and II.]

President Thompson: Who is presenting No. 83? Do I have a presenter? If not, we will move on. For the lack of a presenter, we move to No. 84.

Terminal Championships

Raymond J. Whispell (Muhlenburg College): On behalf of the Council and Divisions II and III Steering Committees. I move adoption of proposal No. 84.

[The motion was seconded.]

The intent of this proposal is, of course, to have terminal championships. We would establish them in Divisions II and III by deleting those provisions that permit Divisions II and III to enter student-athletes in a National Collegiate Championship outside their own. The rationale for proposing this is primarily the fact that in conducting a survey among the Division III schools, 79 percent indicated they would be interested in having terminal Division III championships.

Subsequently, Division II endorsed this proposal; and, of course, Division I endorsed it enthusiastically. It was also a surprise to us who are sponsors of this proposition that the Golf Committee, Track and Field Committee and Wrestling Committee endorsed this proposition. It is anticipated, as the results of Division III round table yesterday indicated, that there will be much opposition suddenly come out of the woodwork. I ask your support of this proposal.

Ronald Bazil (Adelphi University): It is ironic that this particular legislation has been defeated by a division vote at previous Conventions, and now it appears before the entire membership. It is actually being sponsored by our respective steering committees. The reduction in the number of scholarships available for individual sports has resulted in a greater disbursement of gifted athletes to Divisions II and III universities. In some cases, those gifted athletes excel in their own championships. Why should they be denied the opportunity to compete against the best in our country?

We speak in terms of autonomy. But during the past two decades, a great number of track men have emerged from Division II and Division III institutions to represent our country in the Olympic Games. Some of them are Charles Forsler, Larry Black, Ralph Boston, Fred New-

house, John Pratt, Anthony Hall, Larry Myrick and Ray Robinson.

Richard D. Gordin (Ohio Wesleyan University): I am a former member of the NCAA Golf Committee. I am speaking primarily for golf, but also to this proposition. I go back far enough to remember one time that the NCAA championships were for everyone, and that was the only place you could compete at the national level.

Of course, this is no longer the case. We now are dedicated to the division structure, and at one time I favored Division II and III athletes or college athletes going on to the national championship. However, because we now are dedicated to a division structure, we should do everything possible to lend credibility to the various divisions. Generally speaking, I have watched college-division athletes, in golf in particular, compete unsuccessfully at the university level.

The gentleman listed a group of people. I am aware of some of them, as well as the wrestler from Montclair State who was mentioned yesterday. I can count two or three that have made it from Division II golf in the past. Animosity, and in some cases hostility, which I have felt created by Divisions II and III in Division I tournaments, is very real.

In addition, there are problems created in scheduling for our institution. The NCAA's desire that all championships in the spring be finished by June 1 reduces an already shortened season. If you are going to have a young man playing in a Division III championship one week and Division I the next week, he would have to be away from school two consecutive weeks.

But, most important of all, terminal championships in Divisions II and III will give credence, credibility and prestige to these national championships. The evidence in favor of terminal championships far outweighs that against it. I urge adoption of this amendment.

Ross Smith (Massachusetts Institute of Technology): I have several points and I will try to make them as briefly as I can. First, originally the three-division organization was sold to us on the basis of the fact that in Division III we would still retain the "good old American" privilege of going all the way to the top if we could make it. Second, Division III in its round table yesterday overwhelmingly by voice vote—no, it was a hand vote—overwhelmingly defeated this proposal. Third, the eligibility rules of Division I would have to be met by anyone from Division III or Division II who did indeed meet the qualifying standard. I think this eliminates any cluttering aspect that has been said to be one of the strong arguments for having terminal championships at our level.

Finally, the coaches have all been sold on this. They hope to establish for our students the fact if they indeed are good enough they can go to the top; and I don't care what the other points of credence are, if we deny this to our kids I think it is a sharp denial that would be a bad accomplishment here.

Corey Van Fleet (Oakland University): On behalf of the swimmers in the country, I should like to point out that with the reduction in scholarships at Division I to 11 and the fact of several hundred thousand swimmers in the country, we now have a base of Olympic

development program that has resulted in a number of world-class swimmers being spread among the Division II and III schools.

We will, in the next four or five years, see Olympic swimmers coming out of Divisions II and III championships. These swimmers now can go to the Division I championships, and we feel they ought to be given this right.

They have two or three things in their favor. First, they have to meet the stringent criteria as set by the rules committee to get into that championship. Second, they have to meet the academic performance standards to participate in the Division I championships. Third, they have to finish in the top four places in Division II or in the top two in Division III.

We believe with these kinds of criteria you are only talking about a half-dozen each year in swimming. They are world-class athletes. They will bring great honors back to their students. We believe they ought to have the privilege to go as far as they can to race the best people in the NCAA as possible.

Horace Moore (University of the South): I am representing the wrestling coaches and the wrestlers of Division III. I do not understand the rationale of not permitting any young man to prove himself best. This was proven this past year in the 134-pound class with Ken Mallory of Montclair State College.

Also, I must take exception to one statement that has been made. I have been a member of the Wrestling Committee for the past five years, and I have seen no animosity among Divisions I, II and III. In fact, unless we wore our badges we wouldn't know from which division we represented.

Finally, I did not understand the rationale of the round table poll since the NCAA does fund all participants in the national championships now. As a member of the Wrestling Committee, I have not been contacted concerning a poll as to how we feel about the subject.

Chalmer G. Hixson (Wayne State University): I speak in opposition to this proposal. If you need to solve the problems of money, solve the problems of money. If you are having too many kids cluttering up the championships, solve that another way.

I oppose the proposal for this reason: the blue-chip athlete may not go to the school he ought to go to. I cite you one example. If you pass this, the blue-chip kid is going to go where he can compete in that Division I Championship. In the state of Michigan, there is only one place a kid can get a good optometry degree and that is Ferris State University, a Division II school. That means you are going to force that kid to make a decision to go to another institution or leave the state, because he will not have a chance to compete in a Division I championship. I don't think our legislation ought to do that to our athletes.

Unidentified Delegate: Wrestling is a Division I sport in my school. I rise only because my friend Mr. Whispell has mentioned the sport of wrestling. The executive committee of the wrestling coaches' association, which has cross-division representation, largely weighted toward

Division I, has heartily expressed disapproval of this particular proposal at our recent meeting in Berkeley.

The rules committee, true, originally did vote in favor of this proposal. In subsequent meetings, it has expressed it is perfectly satisfied with the way the wrestling tournaments are held at this time.

I might bring out one more important point. If we want to call it the NCAA championship, we ought to get the best people there.

Stanley J. Marshall (South Dakota State University): I rise in opposition to proposal No. 84; and if there is a problem as was suggested in golf and in some areas, I hope it will be corrected by higher standards. I certainly cannot conceive of any Division II and III delegates voting in favor of this arrangement. I would ask Division I delegates to remember our reorganization, when Divisions II and III were promised this opportunity.

[Proposal No. 84 (pages A-32-33) was defeated.]

[At this point, the Convention voted to adjust its schedule to permit consideration of proposal No. 83.]

Maximum Awards—Ice Hockey

Merle K. Loken (University of Minnesota, Twin Cities): I move adoption of No. 83.

[The motion was seconded.]

The purpose of this proposal is to permit the immediate replacement of a tender of a young man who chooses to participate in Olympic hockey. However, when he returns to his institution, his award may be returned to him without counting in the total number permitted. We feel this is important, because otherwise it will present problems to institutions who do provide young men to the Olympic hockey teams in the United States, Canada or possibly countries in Europe.

John R. Davis (Oregon State University): I speak in opposition to the proposal. We are not opposed to the Olympic movement and to our students receiving the highest achievement through Olympics. But this would seem to set a precedent for a large number of sports other than ice hockey. We did discuss this in our conference with the chairman of the NCAA International Relations Committee, and there is recognition apparently in the committee to deal with the problem that we have with our student-athletes trying out for Olympic teams.

I suggest that that committee will, indeed, consider the problem. There is a flaw in this proposal, however.

One of our institutions has a volleyball team, and a large number of members were gone for two years in tryouts for the Olympic team. It is a little questionable as to when the person joins the Olympic team. I suggest the Convention defeat this proposal, with the suggestion that it be discussed at greater length as a proposal to the International Relations Committee.

[Proposal No. 83 (page A-82) was defeated.]

Division III Women's Championships

William A. Marshall (Franklin and Marshall College): I move adoption of proposal No. 85.

[The motion was seconded.]

Before I begin the formal presentation, let me say that the NCAA national office received this morning a telegram from Charlotte West, president of the Association for Intercollegiate Athletics for Women, indicating its opposition to No. 85. I bring this to your attention for informational purposes only.

This amendment would establish NCAA Division III championships for women in the sports of basketball, field hockey, swimming, tennis and volleyball. These sports were selected because we felt they had the greatest number of participants in our geographic area and, subsequently, the best chance for success in initiating tournaments. Nothing would prevent other sports from being included in future years if they met the NCAA regulations.

The justifications for proposing this amendment are varied. First, it is time, gentlemen. To my knowledge, the NCAA has not become the NCAAM. It is time for the NCAA to recognize and provide the adequate meant for all students, both men and women, at member institutions.

Second, there are a number of NCAA members, primarily in Division III, which do not hold membership in any other national athletic association. Third, those of us who are members of the AIAW, and Franklin and Marshall College is, are faced with the difficult and delicate task of administering two separate sets of athletic rules and regulations. If this proposal is passed, an institution would have the option of bringing its entire athletic program under one set of regulations.

Let me bring two examples to your attention. We have a swimming coach for both our men and women's swimming teams. If he goes into a school to talk to varsity athletes about attending Franklin and Marshall College, he can talk to the men; but he cannot talk to a common student body.

Also, with the things we did this morning with financial aid based on need, the AIAW currently allows some athletically related designated money to be used for Division III women athletes. Gentlemen, how are you going to administer two sets of financial-aid criteria?

Finally, there are also financial considerations that should be obvious to every Division III school. We are members of the AIAW; and contrary to some reports, this legislation is not meant to undercut that organization. Since this amendment potentially could increase the number of athletic opportunities available to women students, those concerned with their best interests should encourage its approval, not its defeat.

If this amendment is adopted, it is our expectation that women will be asked to take leadership roles in the various committees that will need to be organized. This could be a very valuable and important step toward opening the NCAA to more participation by women in leadership and decision-making roles. This amendment would not make participation mandatory. Therefore, I hope members would not vote no unless they had some reason why it would be legally or morally wrong for the NCAA to service its membership in this way.

Edward P. Markey (St. Michael's College): I am representing a Division II school. I regret not having this legislation passed last year, so I rise in support of the Division III proposal this year. At our round table yesterday, it once again was supported wholeheartedly. I regret that the support from the floor last year did not provide us with approval of this proposal.

It is certainly felt that it is inevitable such a proposal will be forthcoming. It is now the opportune time to initiate such legislation to provide those schools like ours that are not members of the AIAW the same opportunity that we provide our men in championship events. We don't know who may continue to be in opposition to this proposal. We certainly believe the inevitability of bringing women into the championship picture, should make this a very important part of our thinking, certainly with Title IX considerations.

Eugene M. Haas (Gettysburg College): Yesterday at the Division III round table, I asked for an interpretation of the legal aspects of this question. Ray Whispell, who was chairing that discussion, answered. I would like to have Mr. Whispell, or some other appropriate person, to please address themselves to that question at this time.

Raymond J. Whispell (Muhlenberg College): Yesterday the question was asked, What are the legal aspects in regard to this question? Those of you who were at the 1975 Convention will recall that the legal advice at that time was distinctly that the NCAA had a legal obligation to provide for its membership championships for both men and women.

Recently, the same question was asked of that same legal counsel, and the indication was that position has not changed in any manner.

Kenneth J. Weller (Central College): The implications in this proposal seem to go far beyond some method of offering championships. It is unfortunate but true. In the context of the discussions of this Association, and even in the minutes of the Women's Intercollegiate Athletics Committee, it has been indicated that offering such championships will be triggered by a failure in our ability to coordinate our rules with the AIAW.

This kind of implication seems to me to put us into a context that is inflammatory and is very difficult to handle. The proposal has taken on symbolic overtones. It may sound overdramatic, but I think to many it is assertion of male dominance over women's athletics.

I am very, very certain this is not the intent of this proposal. But, nonetheless, that is the way it is perceived by many people. Therefore, I would propose that we defeat this proposal. I have a feeling we have not exhausted our opportunities for cooperation, and perhaps even for consolidation, with the women's athletics group; and I would urge the Association to renew its efforts for cooperation and coordination.

Perhaps, if we are looking for a symbolic gesture, the gesture might be not to pass this but to have the Council consider adding women to some of the important committees of this Association. It seems to me we have competent, well-qualified women at our institutions; and this would be an extremely intelligent thing to do. I also suspect that it would increase the quality of this Association.

David B. Smoyer (Swarthmore College): I also urge a negative vote on No. 85. I believe the establishment of NCAA Division III women's championships will exacerbate whatever difficulties there currently are between the NCAA and the AIAW. I believe it is important to note that whatever the real facts are for this amendment, it will be perceived by many women as a grab for power.

The importance of the relationship between the NCAA and AIAW means that negotiations be carried on in a positive framework.

With respect to the legal issue, I would suggest that it would be better for the NCAA to wait until it is told to commence women's championships; and then the matter would be far differently perceived by other parties.

Paul Bogan (Westfield State College): There seems to be a little confusion. I am voting for this measure because at our institution we are not very wealthy. We only have one athletic director. I can't be at Los Angeles and San Francisco at the same time; but we do have women athletic directors that are full-time athletic directors, and they are eligible to serve on any committee. It really makes me wonder.

I think this is the time we take a stand. I want my young girls and my ladies and my women to have that opportunity to compete. We are a member of the AIAW, but we have a small school and have been eliminated from the tournaments many times because we are small. I encourage Division III to take that stand and vote in a positive way for these championships.

Joyce H. Weiblen (Averett College): I was one of those people that has had to split time between the two delegate assemblies, and I was not intending to get up to speak to you gentlemen today; but I feel a few things have been said that perhaps need some clarification. First, let me say that I am president-elect of our state AIAW in Virginia, and president-elect of the Dixie Intercollegiate Athletic Conference, which is a member of NCAA Division III.

I feel very strongly that I have very vital and critical interests in both the men's and women's programs at my school as well as in the competition, and in both of these organizations. The first gentleman that spoke indicated that a warning was sent by Charlotte West to the delegate assembly. If I might, Mr. President, I would like to read that resolution to the assembly, if it has not already heard it. It is not in the form of a warning, and it is very short. "Whereas, the AIAW has successfully conducted programs for women student-athletes and responded to the needs of its members, large and small, particularly through its division restructure, and increasing number of championships, therefore, it is submitted to the NCAA membership that the AIAW delegate assembly strenuously opposes the proposal under consideration at the 1979 NCAA Convention that Division III initiate a championship program for women's status and calls upon the voting representatives of the NCAA Convention to vote against the proposal."

In action taken by the AIAW this morning, it has instituted a Division III for AIAW schools, which I think is very much in line with the thinking and philosophical disposition of NCAA Division III

schools. That certainly will create situations for competition among small schools not offering athletic scholarships, and with the type of orientation and philosophical disposition to have more equitable competition.

We have spoken with legal counsel from the AIAW, who has spoken with Joseph Califano and other in Washington. We have been led to believe that the NCAA is not being required at this time, or at any time, to develop national championships for women. Also, we received a report from Mary Robe, who chairs the Committee on Men's Athletics, and she was very positive in terms of the input she has had from some men who sit on that committee in terms of open discussions—ways in which rules will be able to be perhaps changed and compromised so that the differences that now govern women's programs and men's programs may not be altogether changed but may, in fact, be brought closer to one another. So, on behalf of my position at this assembly, I would hope those of you in Division III would vote against this proposal.

Douglas W. Weaver (Georgia Institute of Technology): We should defeat this motion, and I would like to support the views and the facts stated by the last speaker. I am a member of the committee that she mentioned. I have met with that committee twice. It consists of two men and seven women. This governing structure is brought up constantly. The mood is right, and the cooperative discussions that we have had with the NCAA's committee on comparable rules have been very, very positive.

At this time to go into women's championships in the NCAA would be a big mistake.

[Proposal No. 85 (pages A-83-84) was defeated by Division III.]

Rifle Championships

Tom Joynes (Virginia Military Institute): I move adoption of proposal No. 86.

[The motion was seconded.]

I would like to point out that about 290 members of the NCAA have ROTC programs, and just about every one of those has at least one rifle team. Many conferences already conduct championships in rifle shooting. For those of you who do not have a rifle team, I should explain they don't put one team on each end of the range. (Laughter)

This is a very mild-mannered sport. In fact, it is the only truly coed sport we can adopt. Many of the best teams in the country include women. This is an Olympic-type sport and we are trying to cooperate. I also think you should know it is not an expensive sport—only six people are needed to compete.

Furthermore, the National Rifle Association is now beginning to conduct a national collegiate championship. They would prefer the NCAA conduct the championships. They are willing to set up the rules, the regulations, the format and cooperate in any way the NCAA would like it to cooperate, including financially. I urge the adoption of this proposal.

Gary N. Wodder (University of Scranton): At the University of Scranton, recently we found that our indoor rifle range does not meet

OSHA standards for airborne and lead contaminants. This can be a very serious legal problem for any institution. It is a problem that contaminants could enter into the bloodstream and seriously injure the persons involved.

There is a possibility that our institution is going to face a multimillion dollar suit on this by the instructor of our rifle team. I would urge those of you who have indoor rifle ranges to contact your legal or engineering staff and have them measure your range with regard to its ventilation system, because you could find yourself in the same situation as us.

Robert F. Greene (C. W. Post College): Rifle competition has absolutely no legitimate place as an NCAA championship sport. Aside from aiding the proliferation of weaponry, it does very little for cardiovascular fitness. I, therefore, urge you gentlemen to defeat proposal No. 86.

[Proposal No. 36 (page A-84) was ruled out of order after it was approved by Division I (131-98) but defeated by Division II (45-58) and Division III (43-77), inasmuch as the only division wishing to establish the rifle championships did not have the required 45 institutions sponsoring rifle as a varsity intercollegiate sport.]

President Thompson: The problem is Constitution 5-7-(d), which states that there must be at least 45 members of a division sponsoring a sport for the creation of that sport. Our problem is if all three divisions, or two of them, had adopted it, we are reasonably certain that the constitutional provision could have been met.

I think I would like at this point rather than take up your time to ask that this matter be referred back to the Council for discussion this evening and come back to you in the morning.

Cecil Coleman (University of Illinois, Champaign): I move to refer this back to the Council.

[The motion was seconded, and the proposal was referred to the Council. Subsequently, the Council sponsored a resolution (see No. 134, page 150) establishing a pilot championship.]

Exempted Players

Kenneth Herrick (Texas Christian University): I move for reconsideration of No. 74.

[The motion was seconded.]

Robert F. Ray (University of Iowa): I would call the gentleman's attention to the fact that identical language already appears in Bylaw 4-b. Also, this rule we adopted for Division I earlier today by a substantial majority was adopted by Division II last year, and it contains that language.

James A. Castaneda (Rice University): It seems paradoxical from the very language of the proposal that the athlete obviously was recruited; and, at the same time, his financial aid was granted without regard in any degree to his athletic ability. It seems to me this apparent paradox leaves the door open to a great potential for abuse in finding financial aid and is little more than a subterfuge to provide financial aid

to a number of athletes in excess of the number that is permitted. I would like to give one succinct type of example. A coach of a sport other than football or basketball recruits "X" number of players because he feels they would help his program. Upon determination that "Y" number of these players could qualify for an academic scholarship is made available.

Then he could go out, based upon the vote that was taken earlier on No. 74, and recruit an equal number of additional athletes to those that have been excluded from the count because their scholarship now comes from the academic rather than the athletic sources. I think that is the type of abuse and the threat to making a farce of our limitations in sports other than football and basketball to which I was referring.

[The motion to reconsider proposal No. 74 (pages A-73-74) was defeated. See pages 126-127 for the original discussion.]

Division III Lacrosse Championship

Robert T. Shields (Fairleigh Dickinson University, Madison): I should like to move adoption of proposal No. 87.

[The motion was seconded.]

As you can read, the intent is to establish a Division III Lacrosse Championship. The present structure combines Divisions II and III. Although we are sympathetic to our friends in Division II, there are sufficient numbers to warrant a Division II championship.

Edward S. Steitz (Springfield College): As a member of the Executive Committee, various questions have been asked concerning the role that the Division II championship would play in the event there is a shift from Division II institutions to Division I or Division III, whereby there would be less than 45 institutions in Division II. The Executive Committee has indicated that the grandfather clause would prevail.

[Proposal No. 87 (pages A-84-85) was approved by Division III.]

Division I Automatic Qualification

Seaver Peters (Dartmouth College): On behalf of the Executive Committee, I move adoption of proposal No. 88.

[The motion was seconded.]

As outlined in the intent portion of this amendment, the purpose is to eliminate, except in the sport of basketball, the requirement that a conference must conduct championships in six sports in order to qualify for automatic qualification in Division I championships. It further specifies in basketball the criteria that conferences must meet and gives Conferences until August 1, 1981, to comply with these requirements.

I might add that date is a later date than originally in the bylaw and gives conferences more flexibility.

[Proposal No. 88 (pages A-85-86) was approved by Division I.]

[Proposal No. 89 (page A-86) was withdrawn.]

Competition on the Sabbath

Edward S. Steitz (Springfield College): I move adoption of proposal No. 90.

[The motion was seconded.]

The intent of this is to bring the Sabbath law into mutual effect. What we are doing here now is to provide that people of the Jewish Orthodox faith, institutions that have a policy preventing them from playing on Saturday, are given permission to be absolved from participation on Saturday so long as there is an institutional policy.

Cecil N. Coleman (University of Illinois, Champaign): The University of Illinois is hosting the National Collegiate Track Championships this spring. If I read and interpret this proposal correctly, if there is an institution that has a policy against competing in the finals on Saturday as now scheduled, then we would have to reschedule this meet or move it up, or something of that nature. Am I correct in that understanding?

Mr. Steitz: The Executive Committee had indicated this prevailed for teams, not individuals. If an individual felt he didn't want to participate on a Saturday, that doesn't mean that the tournament would have to be changed.

Mr. Coleman: What is the language that indicates that this will not require its team or an individual to compete? Isn't my original assumption correct?

Mr. Steitz: If it is an institutional policy, yes.

Mr. Coleman: I understand, if it is an institutional policy. If that is correct, I would urge the Convention to defeat this proposal.

[Proposal No. 90 (pages A-86-87) was defeated.]

Recruiting Contacts

H. C. McLellan (Clemson University): I should like to move adoption of proposal No. 91.

[The motion was seconded.]

This will delete the three-contact recruiting limitation, which we feel is unenforceable.

Cecil N. Coleman (University of Illinois, Champaign): I am opposing this amendment on behalf of the Council. I should like to point out to the delegates there is proof in what the enforcement investigators have indicated to the Council for the past 1½ to 2 years, that even though so many of us have indicated a dislike for this legislation it is working. If there is one thing that we have been able to do, it is get rid of the live-in coach—the guy that comes in and just takes up an apartment near a prospect for three or four weeks.

We believe that the legislation is enforceable. There have been violations of it. There have been penalties. It certainly doesn't take care of the bump. As I have indicated to our coaches, if you violate the three-contact rule, then you sure don't understand what a bump is because you can get an awful lot of bumps in it.

John C. Jessell (Indiana State University, Terre Haute): I wouldn't dispute the fact that the rule is enforceable, but I would like to come at it from another dimension. I voted in favor of this legislation at the special Convention in 1975, since I was not opposed to economy then and am not opposed to economy at this time.

However, the question arises whether this legislation has achieved its desired end—a reduction in resulting costs. It is evident to any athletic director or faculty representative who examines a recruiting budget since the implementation of the three-contact limitation rule that recruiting expenditures have risen in excess of what might be defined as the result of inflation.

The effect, then, has been counterproductive to the intent of the rule. We are expending more money for recruiting, not less. Each institution sponsoring this proposal has come to this conclusion.

Why is this the case? Because the recruiting process is extended beyond the customary geographic boundaries since the enactment of the rule. Thus, coaches are recruiting in areas in which they had not previously ventured. Why? Coaches must keep busy; and since only three formal contacts are allowed, they have to broaden the scope of their activity by concentrating on a greater number of prospects over a broader geographical range. It is well understood that successful recruiting requires a great deal of effort. This includes repeated contacts and much visibility with the prospect even for those institutions holding the status of national prominence. With the hard work associated with the concentrated effort diluted, the percentage of recruiting success is reduced. Thus, it has been considered necessary to program the informal bump to maintain visibility while traveling to a contact or another program bump to stop over and make a bump or two.

Now, this brings me to the question, how is a contact distinguishable from a bump? The Association cannot legislate against an exchange of pleasantries with a prospect whenever and wherever a coach may encounter him. But a bump is more than a courteous encounter. It is an encounter of another kind. It is a calculated, and often costly, ploy utilized to circumvent the contact rule.

In short, this becomes a mockery. In the interest of real economy and as a gesture to the credibility of recruiting practices, I ask for your support in rescinding the limited-contact rule by voting in favor of this amendment.

Wayne Duke (Big Ten Conference): I did not know that Cecil Coleman from the University of Illinois was going to speak on this matter for the Council. I certainly echo his comments. I had written some notes of my views as a conference commissioner that the aura surrounding recruiting has changed. It is much better with reduction in the actual number of visits. To say there has been no enforcement of the rule is totally inaccurate.

My own check of the situation with Bill Hunt, the director of the NCAA enforcement program, says otherwise. There have been a number of violations processed by the NCAA Committee on Infractions relative to the three-contact rule, including a charge against a Big Ten member institution, I might add.

The real concern with the rule is not with the contacts, but it is indicated with the bumps. The crux of the matter is that trade-off is simply this: are you willing to revert to the live-in coach to get rid of the bumps? With the live-in coach comes violations—constant contact

produces violations.

The three-contact rule is better for the coach. The coach lives in a make-or-break situation when you have a live-in situation. He just has got to get that recruit, and there are violations that occur. Also, there is no question that it is better for the young man involved. I urge defeat of the proposal so that we will retain the three-contact rule to alleviate the recruiting pressures.

Finally, I don't concur totally that we have not received some results of economy as a result of that rule.

Jamed Frank (Lincoln University, Missouri): I rise in opposition to proposal No. 91. I would like to echo the remarks of Wayne Duke and Cecil Coleman, and in addition I would like to make two other points. I believe the three-contact rule has brought about greater equity and fairness in recruiting. There are many schools who cannot afford even sending their coaches to make three contacts.

This cuts down on the intensity of recruiting. So I, therefore, would urge that we defeat this particular proposal.

Stanley E. McCaffrey (University of the Pacific): I wish to speak in opposition to No. 91. I believe the three-contact rule adopted in 1974 is a sound and constructive piece of legislation and should be maintained. There are three reasons for defeating this proposal.

First, it seems to me it is ridiculous to say if this legislation, or any other piece of legislation that we adopt in the NCAA, is unenforceable. If so, why do we bother to pass any legislation here? If we are people of honor and integrity, when we pass a piece of legislation we have to assume that all of our people engaged in intercollegiate athletics are going to do their level best to comply with it. For someone to say it is unenforceable to me is unacceptable.

Second, to speak to this proposal as an act of economy also is ridiculous. It is true that the costs of recruiting may have arisen, but this would remove the lid completely. You could have 12 contacts. Is that an economy measure? There is no question in my mind the cost of recruiting would rise markedly if this were passed and the limit of three was removed.

Third, and most important, the recruits have some guilt on their side, too. Some take advantage of the opportunity of visiting every place in the country. But the recruit is a pawn in this game, and to remove the limitation of the contacts is going to make that recruit even more of a pawn. I think that it would be retrogressing in our uplifting of the level of recruiting and of our total level of intercollegiate athletics to adopt this and to remove the limit of three contacts.

Warner Alford (University of Mississippi): As one of the sponsors of this proposition, I would like to speak in favor of it. I think that the three-contact rule has shown no economy. The economy comes in the number of coaches we have. We all operate with the same number of coaches. Eleven people can recruit off campus. Now, if some folks can have one coach stay in a town for four weeks, then they must not be recruiting very many people. But I think the number of coaches is the critical area.

Another area we have not addressed ourselves to is that if the head coach and that staff are fired, after the contacts have been made, then the new staff coming in can't make contact with that prospect any more.

I think that the rule is not a good rule. I think we ought to stand up and say let's take it out. Another thing is that the folks in this room that have been in the field recruiting, I think they know that there is no change as far as the recruiting goes. It is just as tough. The live-in coach, that can be stopped at the institution by the head coach.

Joseph V. Paterno (Pennsylvania State University): As a practical matter, I am trying to keep busy. (Laughter) When we first put this rule in, I was all for it. I am for any kind of rule which will help eliminate the pressure we put on youngsters. I think my reputation would be along those lines, and I would hope that you would understand it. I believe that very strongly. We put the rule in and I was for it, and I thought it would be a great rule. The first year we had the rule, my staff did not talk to any youngster more than three times. We were unaware of the bump rule. All of a sudden we became aware of the bump rule. We now contact kids eight, nine, 10, 12, 15 times, as many times as it takes for us to be around the boy the other fellow is.

The rule is unenforceable. We bump into them. We happen to go into the high school and happen to bump into them and make conversation with them. We just discuss things about how is the baseball average, how is the girl friend and all the things that you want to do. We don't talk about visits, we don't talk about what we have to offer, but we are around the youngster.

I think the other point that is very important is that since we do have limitations on coaching staffs, the ability to live in with the prospect is not there as it was a long time ago.

Let's not get a lot of rules we can't handle so we are all accusing ourselves of different things. I would like to see us go back to a rule wherein we can contact a youngster, we can talk to him, we don't have to go under the subterfuge of a bump, and try to work with that, with the idea that with the limitations we will not go and have the abuses of the live-in coach.

We need another chance to do it with that kind of open-end recruiting, with limitations on the coaching staff, and see if we can handle it that way. If we get abuses then, I think we can go back to some kind of realistic contact rule which would eliminate the provision of the bump somehow. I would hope that we would vote yes on that.

Robert W. Murphy (San Jose State University): I hesitate to disagree with the distinguished coach Paterno, but I must echo the sentiments of President McCaffrey from the University of the Pacific.

We are a part of the educational process and we must start with integrity and honor with our coaches. I don't think we can use the expression that any rule is unenforceable.

Robert H. Spiro (Jacksonville University): All of us live within the context of the 55 mile-an-hour speed limit. We know it is not perfect and most of us know it is violated. It seems to me by the same token we

need some limitation on the number of contacts. I would urge, on the part of the prospective student-athlete and the institutions, that we vote no on this particular proposal.

Fred L. Miller (Arizona State University): Being out in the desert like we are, we oppose this rule since the schools in the metropolitan areas have a distinct advantage over schools that are out in the outlying areas. I urge the defeat of this motion.

Mr. Paterno: I would not like to argue with Bob Murphy, but he has not been in the field recruiting; and I take exception to the statement about integrity of coaches. It is not a question of integrity. All of us would like to do things the way they are supposed to be done. However, when you do get into a situation where there is a great athlete, your job is on the line and you have got to go out and get him, you are going to use the rules as best you can without breaking them. You are going to bump as many times as necessary.

I, for one, do not like to see a rule in a book that cannot be imposed. I think we are being ridiculous when we say we can enforce this. I don't think you can. All I am asking you is that if you are going to think about having the three-contact rule, you ought to think about eliminating the bump, so you can enforce the rule. When you have a bump rule, it can't be enforced; and I don't care what anybody says, because I have been out in the field.

[Proposal No. 91 (pages A-87-88) was defeated by Division I and II.]

Recruiting Contacts

H. C. McLellan (Clemson University): I would like to move adoption of No. 92.

[The motion was seconded.]

This proposal is to specify that the three-contact recruiting limitation shall not apply to contacts with football prospects by Division I-A institutions.

[Proposal No. 92 (page A-88) was defeated by Division I-A football.]

Recruiting Contacts

Robert C. James (Atlantic Coast Conference): On behalf of the Council, I should like to move adoption of proposal No. 93.

[The motion was seconded.]

All this legislation does is to extend to the institution when the young man signs a National Letter of Intent an opportunity for contact beyond the limit of three. There was some concern expressed yesterday in the division round table about how many institutions participated in the National Letter of Intent. I should like to call to your attention that in Division I, of the 257 institutions, 203 participate in the National Letter of Intent.

In Division II, in Districts 3 through 8, we have 63 of 126. In Districts 3 through 8 in Division I, we have 189 of 192. In Division I-AA, we have 29 of 37 institutions. I think this reflects a significant factor in the consideration of this proposal.

John W. Kaiser (St. John's University, New York): Commissioner James has truly significant figures. However, I might point out that no matter what the figures would be they are not complete. There is a large group of institutions who are not bound by the National Letter of Intent. Therefore, this legislation would be highly discriminatory against that group of institutions.

Ernest C. Casale (Temple University): I would like to speak against this for the reason given. I think I almost consider it illegal that we could have legislation pertaining to something which is really not a part of our regulations. I am speaking to the National Letter of Intent. I think if the National Letter of Intent is good, then we should have legislation pertaining to it. Now, there must be better ways to accomplish the intent of this proposal. Maybe the possibility of a choice in the National Letter of Intent date. The intent might be okay, but the means to accomplish it are not.

I believe that we ought to further study this. I urge its defeat. I will say one last thing. Approval of this proposal will reintroduce the live-in coach we referred to earlier.

Mr. James: I don't think that this discriminates against any institution. It only permits the institution, in which the young man and his family have indicated they wish to enroll, to offer guidance and counsel beyond that point.

Cecil N. Coleman (University of Illinois, Champaign): The point I want to make to the delegates is, first of all, it could have been a date in there just as well as the National Letter. So to indicate we are taking something outside the organization, I think that is nit-picking at this time. The important thing is that after a date or the signing of the letter, whichever you prefer, our coaches have unlimited contacting ability.

Mr. Kaiser: It doesn't say that in the amendment, I might remind Commissioner James there have been for many years conference letters of intent and where prospective student-athletes, have signed them and then changed their mind afterwards.

Mr. James: I agree with you, but when he signs a National Letter of Intent it very clearly states it renders null and void any previous agreement.

Wayne Duke (Big Ten Conference): I think one of the points that Commissioner James made has been overlooked. Those contacts after the signing of the National Letter of Intent are not recruiting contacts for all practical purposes, even though there have been conference letters of intent. Thus, I move adoption of this.

Rev. Thomas H. Croak (DePaul University): I am just curious, Mr. President. We are proposing at DePaul this summer to interview all our incoming freshmen for academic advice for classes. If they have been contacted three times by our coaches and signed, would we not be allowed to interview them for academic advice? If we are not able to advise them on their courses, they will be discriminated in their classes. That is the program we are instituting this summer.

Mr. James: If it is done on your campus, there is no problem with it at all.

Rev. Croak: I understand the situation. The student is coming to us, and we are not going to him. He is coming to register, and he is coming for our orientation and this is in the summertime.

Francis X. Rienzo (Georgetown University): It is my understanding of the NCAA legislation if that is being done for every other incoming freshman, you would be able to do it for an incoming athlete and would not be in violation of the three-contact rule. Isn't that right?

Mr. James: I am not interpreting NCAA legislation. I am trying to speak to this proposal.

Mr. Rienzo: I would like a question from the parliamentarian. Has the decision been made whether this legislation proposal is in accord with the NCAA legislation or is it out of order?

President Thompson: The Council has considered this matter and has placed it on the agenda and considers it in order.

[Proposal No. 93 (pages A-88-89) was approved by Divisions I and II.]

Recruiting—Television Appearances

Robert C. James (Atlantic Coast Conference): On behalf of the Council, I should like to move adoption of proposal No. 94.

[The motion was seconded.]

Proposal No. 94 simply prohibits the appearances by high school, college preparatory school or junior college coaches on a college coach's television program and affirms the responsibility of the member institution to assure compliance with the provisions of this paragraph.

[Proposal No. 94 (page A-89) was approved by all divisions.]

[The Convention recessed at 5:05 p.m.]

FINAL BUSINESS SESSION

Wednesday Morning, January 10, 1979

The session convened at 8 a.m., President J. Neils Thompson presiding.

Resolution: Rifle Championships

President Thompson: As I promised you, the first order of business will be the matter of removing the dilemma and confusion in regard to proposal No. 86. I will give you a full explanation in just a moment. This is rather complicated, and I hope you will bear with us and hear our proposed solution.

At this point in time, I should like to call on Joe Geraud to present a recommendation from the Council.

Joseph R. Geraud (University of Wyoming): On behalf of the Council, I move adoption of resolution No. 134.

[The motion was seconded.]

Here is the language of the resolution: "Be It Resolved, that the NCAA Executive Committee be authorized to establish a pilot program of National Collegiate Rifle Championships in the 1979-80 academic year, with eligibility for participation in that pilot championship based upon the varsity intercollegiate sport definition of Executive Regulation 2-4-(c) and the provisions of Bylaw 8-6-(b), in addition to all other pertinent Association legislation."

President Thompson: I should like to give a further explanation. It involves, of course, the aspect of having 45 participants in a sport before you can create a championship in that sport; and that is not the case in Division I at this time. So, at this time, there is an imperfection in our rules; and No. 86 has led to a very difficult and complicated problem.

Under the NCAA bylaws, each division must approve No. 86 to establish a championship. This did not occur. Division I approved it, but in our judgment it was not the intent of the sponsor as stated in the Convention Official Notice to create a Division I championship. And, the official records of the NCAA do not show a sufficient number of institutions sponsoring the sport on a varsity basis as required by Constitution 5-7-(e) and O.I. 12.

Thus, in a desire to be fair to the sponsors and delegates, the Council voted under the terms of Constitution 6-4 to submit proposal No. 134. This resolution authorizes a pilot championship, and those who desire an official championship can submit the necessary amendments next year.

I might go on to add that our present procedures simply do not provide for this type of championship development to occur. That also must be improved upon next year. But in order to get around the problem that we have at this time and the fact that one group did vote

to set up a championship, the Council is recommending to you the adoption of this resolution in the interim to be fair to the members that voted for the championship in Division I.

[Proposal No. 134 (page A-117) was approved.]

[Proposal Nos. 95 and 96 (pages A-89-90) were withdrawn.]

High School All-Star Games

Fred Jacoby (Mid-American Conference): The reference to No. 97 deals with high school all-star games. In a number of discussions with basketball coaches, directors of athletics and members of the Collegiate Commissioner's Association, we feel there is a real problem with high school all-star games. Our Association has talked about it and has never done anything about it.

The all-star games include one city vs. another city, one conference vs. another conference, one state vs. another state, and even the United States vs. another country. In our view, the problems are: as utilizing high school class time, students forfeiting spring sports eligibility, students being contacted by agents of these games, the games being primarily beneficial to private promoters and the lengthening of the recruiting season.

The problem is that all-star games are held while the student is still in high school but not yet enrolled in college. Thus, we are reluctant to touch them; and the high schools have been reluctant to do anything. We are suggesting that high school all-star games are a problem that will not go away but will become worse. The proposed legislation would be beneficial to the student as well as the school's athletic program.

However, the All-Star High School Games Committee, headed by Harry Fouke, has done an excellent job. I would like Harry to make a statement in regard to what they are trying to do about it.

Harry H. Fouke (University of Houston): The all-star committee has been conscious of the problem that exists and recognizes it as a very serious problem. At the same time, we have been concerned about the fact that the primary responsible for control of the actions of the students involved actually is in the high school domain; and it seems to us to be somewhat out of order for colleges to dictate to students while they are still in high school.

There is action of the committee right now to approve games during the summer months. However, it is not the intent of the committee to get into the position of approving games in the various states or cities during the school year. With this in mind, we talked with Brice Durbin, who is a member of the committee, and asked him to take this back to the high school federation and to come back with some assurance that the all-star committee in each state would assume its responsibility for the approval of these games.

Then, the two organizations might well work together to refine this proposal at the next meeting and come forth with a solution that would cure something and be beneficial to all. With that in mind, Mr. Jacoby, we acted in good faith; and we expect to be in contact with them.

Mr. Jacoby: With that as a background, we then will withdraw the

motion and hope that the committee will solve the problem in this manner.

[Proposal No. 97 (pages A-91-92) was withdrawn.]

Summer Basketball Leagues

William A. Marshall (Franklin and Marshall College): I move adoption of proposal No. 98.

[The motion was seconded.]

Chalmer G. Hixson (Wayne State University): I speak in opposition to No. 98. I see this as an erosion of the original intent of the legislation, which was to sponsor and allow kids to play neighborhood basketball on an informal basis during summer vacation. I think this proposal encourages coaches to start coaching in the summer. My coach is busy enough, and I want him to do things he is supposed to do. We have had this legislation just one year. It hasn't had a chance to work yet, and we don't know what we are doing with it. It needs more time.

If we go this route, it is two kids now to work on the two-man game, and maybe we ought to get three to work on the three-man game. It is 200 miles now and maybe we ought to have 300. Out West maybe it ought to be 700, and on and on it goes. I urge you to vote no on this legislation.

Thomas J. Niland Jr. (Le Moyne College): I think I have been instrumental in getting approval for the legislation that was passed last year. I think that we were wise in passing that legislation last year. One of the arguments used previously was that this would grow and mushroom, and I agree. So as one of the writers of the original motion, I would ask for the defeat of this motion. We now have the rule, and it is proper that we have it. Let's keep it this way for awhile.

[Proposal No. 98 (page A-92) was defeated.]

Summer Basketball Leagues

Olav B. Kollevoll (Lafayette College): On behalf of the Council, I would like to move the adoption of proposal No. 99.

[The motion was seconded.]

This past summer a number of our basketball players were denied the opportunity and the privilege to participate in some basketball leagues. The league has a regular structure and a regular schedule, and includes postseason playoffs. These leagues were established long before our legislation was approved and didn't want to change their structure and eliminate the playoffs. This new legislation would permit our student-athletes to play in these leagues and give them another opportunity for participation.

[Proposal No. 99 (pages A-92-93) was approved, 282-106.]

Outside Basketball Competition

Jake Crouthamel (Syracuse University): I move adoption of No. 100.

[The motion was seconded.]

In the summer of 1978, the state of New York inaugurated a unique

concept in amateur athletics—a state Olympics called the Empire State Games. These games attracted more than 5,000 competitors, both male and female, in some 24 sports. These mini-Olympics will be conducted on all off-Olympic years. We anticipate this program will become a prototype in many other areas around the country, because there are several that already have expressed an interest.

At the present time, NCAA regulations relative to allowable outside basketball competition, preclude intercollegiate basketball players with eligibility remaining from participating in the Empire State Games. This amendment would provide the mechanism for permissible participation. It should be stressed that the Empire State Games is an Olympic-type multisport developmental program, and by the terms of this program sanctions would be required by the Council. We urge your acceptance of this amendment.

[Proposal No. 100 (page A-93) was approved. With its adoption, proposal No. 101 (pages A-93-94) became moot.]

Outside Competition

Alvin R. Paul (Columbia University): On behalf of the colleges listed, I move the adoption of proposal No. 102.

[The motion was seconded.]

There is an amendment, No. 102-1. I also move the adoption of the amendment.

[The motion was seconded.]

The amendment to the amendment merely clarifies an editorial change in the original amendment, an operative response to a suggestion that the wording of the original proposal did not indicate the words "during his institution's intercollegiate season" of the athlete's sport.

[Proposal No. 102-1 (pages A-94-95) was approved.]

The original proposal No. 102 provides an opportunity, during the intercollegiate season of a specific student-athlete, for him to compete in outside competition against an alumni team. This competition must take place during the official vacation period of the institution's academic calendar. At the present time, this is allowed for basketball. We urge that this be adopted for all sports under the specifics stated.

[Proposal No. 102 (page A-94) was approved.]

Transfer Rule—Divisions II and III

Milton J. Piepul (American International College): I move adoption of No. 103.

[The motion was seconded.]

The intent is to provide a single junior college transfer rule in Divisions II and III, deleting any reference to the 2,000 rule inasmuch as that rule is not applicable to incoming freshmen at Divisions II and III institutions.

[Proposal No. 103 (page A-95) was approved by Divisions II and III.]

Seasons of Competition

D. Alan Williams (University of Virginia): I would like to move for a

change in the order of business and propose that we now consider No. 108, which deals with the freshman red-shirt rule. There was a great deal of sentiment at the Division I round table for No. 108, and also there was a desire that this be considered prior to Nos. 104, 105 and 106. Therefore, I move a change of order at this time.

[The motion was seconded and approved.]

Charley Scott (University of Alabama): On behalf of the NCAA Council, I move the adoption of No. 108.

[The motion was seconded.]

By way of explanation, this amendment would retain the eligibility for participation in NCAA championships by freshmen; but it would provide that there would be three years of eligibility after the freshman year and retain the five-year period for four years of participation. It would return us to the language that existed for Division I before August 1, 1978. If this amendment passes, the rule would apply to those student-athletes who are enrolled after August 1, 1979, and will not apply to any who are enrolled before that time.

John R. Davis (Oregon State University): I wish to oppose No. 108 for several reasons. One is a philosophical feeling that since most students require five years to complete their degree anyway, one ought to allow the student to use his four years of eligibility in any of those five.

At my own institution, it is sort of an on-the-fence proposition with us because we feel if the freshman is not pressured to play he can make a better academic adjustment. On the other hand, if the freshmen are required to play, coaches may lose those freshmen on specialty teams in football, and if he is playing he may make a better academic adjustment that way. It seems to us to be almost a push.

Nevertheless, it seems to us more appropriate to allow the student to have four years of eligibility out of any of the five. There is an interesting anomaly to this with the hardship rule, and let me just cite an example to you. The hardship rule would allow a freshman who has competed in his first two games of football and then is injured or becomes ill to petition on the basis of a hardship and hold his year of eligibility back, where the student who is not ill or injured or who does not play loses that year of eligibility.

In an odd sense, it behooves football coaches to put their freshmen out in two football games and have them injured. I mention that as a weird anomaly, but I mention it, nevertheless, because we are struggling with this in the petitioning process in our conference. For those reasons, I would urge your opposition to No. 108.

[Proposal No. 108 (pages A-102-103) was approved by Division I.]

Eligibility—2,000 Rule

D. Alan Williams (University of Virginia): On behalf of the sponsors of No. 104, I move its adoption.

[The motion was seconded.]

E. John Larsen (University of Southern California): On behalf of

the Council, I move the adoption of proposal No. 104-1.

[The motion was seconded.]

Amendment No. 104-1 would restore the prohibition against granting athletically related financial aid to a nonqualifying freshman. The consensus of the Division I Steering Committee was that this was a very popular matter.

C. D. Henry (Big Ten Conference): I had promised not to speak on this so-called triple option, but I feel I must. Since the compliance date for Title IX, I have been trying to deal with the concept of reasonableness. At the Convention last year, I proposed an amendment by the Big Ten on the 1,600 legislation. Among the arguments used to defeat the legislation—for six years we did have it—was the fact that Blacks and other minorities and disadvantaged youth suffered when given standardized tests such as the ACT and the SAT.

If one assumes those persuasive arguments were correct, then Blacks, other minorities and disadvantaged will not have three options. They will only have one option and that one is being elevated from 2,000 to 2,250. This does not appear to be reasonable. I have not read anywhere that the new qualifying standard would predict more graduates in an eight- or 10-semester period. Thus, I am in somewhat of a dilemma as to what is intended by the new legislation.

The intent speaks only to replacement of only one standard for another. If the purpose of the proposed legislation is designed to have more student-athletes reach graduation, Blacks, other minorities and the disadvantaged lose the two options previously mentioned.

President Thompson: C. D., I had to interrupt you. I need for you to talk on the amendment to the amendment. You are talking on the proposal.

[Proposal No. 104-1 (page A-97) was approved by Division I.]

Mr. Henry: May I refer to two articles, one in the December 12 Washington Post entitled "Colleges Should Look In The Mirror." That particular article ended by suggesting that replacements in football or basketball should go by the number of student-athletes who had received degrees.

In other words, instead of a school being able to sign 30 people in football, they would replace the number of people who actually had received degrees. This supposedly represented the thinking of the College Football Association. I was wondering if the Academic Testing Requirements Committee gave that thought any consideration.

The other article I wanted to refer to appeared in the December 4, 1978 New Yorker; and it was an interview with Henry Rosovsky, dean of the Harvard faculty of arts and sciences. He was quoted in the New Yorker as saying, "An educated person should be able to communicate with precision, cogency, and force. He or she should have an informed acquaintance with the mathematical and experimental methods of the physical and biological sciences; with the historical and quantitative techniques needed for investigating the workings and development of modern society; with some of the importance of scholarly, literary,

artistic achievements of the past, and with the major religious and philosophical conceptions of what man is.

"An educated American should not be provincial, he should know about other cultures and other times. He should have some understanding of, and experience in thinking about, moral and ethical problems. He should have high aesthetic and moral standards. He should be able to reject shoddiness in all of its many forms, and to defend his views effectively and rationally."

He made a point I think was very important. No college can remedy the damage of poor secondary education, but we are determined to give these 18-year-olds who need it a second chance. Last year, in a facetious manner, I suggested using the Black Intelligence Test of Cultural Homogenous for Black Students. Later on in the year, on the television show "Diff'rent Strokes," the same scene was used showing Black kids exchanging questions in the street language and stopped by the man who prepared the original questions. If an association test used words, and the letters c-a-t-o were used to make a word denoting warm, most minorities would say c-o-a-t and think of coat.

The Chicanos would see t-a-c-o and think of tacos. I don't think that Chicanos and the other people that have been mentioned would have thought that when the ACT and the SAT were proposed. It appears to me that there are numerous successful stories where good counseling takes place. I, for one, would want to do what Harvard is doing and give the 18-year-old who needs it a second chance and retain the current 2,000. Thank you.

Jesse N. Stone Jr. (Southern University, Baton Rouge): I rise to speak in opposition to No. 104. First of all, I do not see this as a black-white issue. I see it as a question of whether we are enhancing the opportunity for average students of great athletic ability and talent or denying it. Let me say at the onset I feel any institution that does not seek excellence and quality in all that it does should close its doors.

I, likewise, feel that any president who does not support excellence, quality and scholarships should resign his position.

I do have some concerns, however. I have a general reluctance to change anything that is working well unless it is wrong, unless the evidence is clear that the changes will make it better. It seems to me from the evidence I am aware of that the 2,000 rule permits a considerable amount of participation by student-athletes in all of our colleges and universities in this country. It seems to be working very well at the moment.

It also appears that the 2,000 requirement is within a range acceptable to a large number of colleges and universities, and it does not appear to me that the changes will necessarily make the situation better. Additionally, it seems to me to be fundamentally wrong to say to a student with great athletic talent and ability that although he meets the standards of his institution, makes satisfactory progress academically and perhaps is the best athlete in the school that he cannot play. To have that imposed upon him by us in a general Convention such as this is fundamentally wrong.

I am sure there are many talented student-athletes in all the

institutions of this country who have the highest scholastic achievements. Unfortunately, there are not enough of these in many of our institutions. I feel that it is a bit unfair to eliminate those institutions from competition. Therefore, I oppose this proposed amendment.

Mr. Williams: This is a matter of considerable concern to a great number of us who have watched what has happened across the course of these Conventions over recent years. I think we all remember how we got to the 2,000 requirement in the first place. That was the moment in which we eliminated the 1,600. There was no alternative for us at that point except a proposal for a 2,000 high school average. I think we have a fair understanding over the past four years of how this has worked.

I think we recognize we have placed ourselves as educators in a very difficult position. I think we recognize, many of us, that we have placed our admissions offices in a very difficult position, but I think we also have placed a great number of men and women in a difficult position. I wish I could say that in a high school a 2,000 average was truly an indication of academic success and the possibility of receiving a degree. I think we have been giving the wrong impression.

Too often this math becomes not the minimum but the maximum. I think we have let these people believe that if they achieve this average they will be able to succeed in our colleges and universities. I think we have watched students—particularly in the athletic environment in Division I and probably more so within football, where quite often students find themselves playing games before they actually are enrolled as students—left in an exceedingly difficult situation of making a transition from a home environment to a college environment.

We have left them in the difficulty of shifting from high school competition to university competition. We have placed them in the difficult position of being essentially marginal students trying to compete academically at the same time. This is exceedingly difficult. I think the records will show this is really unfair. I would suggest to you that under the present environment the C average, the 2,000, is really not predictable. Above all, I think it would show that while frequently it is easy for a student to achieve a 2,000, when you look at those transcripts quite frequently the grades are not in courses that lead one to be qualified for a college career.

Therefore, the movers of this proposal, and there are a great number of others who have expressed some sympathy with us, suggest what the NCAA needs to do is take a position of educational leadership and say that something higher than a C average on all courses attempted is needed. I think we recognize, generally speaking, in terms of admission, that the best predictor of success is how that student has done in the environment from which he has come.

But we are also proposing two other alternatives in addition to the 2,250. That is taking the ACT or the SAT, with the possibility that the student might, in many instances, be in a very competitive high school or prep school situation. The student then could be encouraged to take college preparatory courses and have an alternative, not as a substitute, not as something that is going to be a way around, but as a combination package that actually would work.

The movers of these proposals are in favor of those things that will increase the potential for the students to graduate from colleges and universities and not leave us in the position we are in now, where we know very well many of those students will come, we will use them and we will not be graduating them. We are using and abusing these young men and women.

Mr. Larsen: I, too, urge the support of No. 104, as amended. A brief resume of the history, I think, is important of this proposition for new members of this Convention. It arose out of a directive to the Academic Testing and Requirements Committee two Conventions ago to reexamine the 2.000 rule as it then stood and currently stands, in terms of it being highly inadequate as a measure of potential academic success of a member institution.

Therefore, No. 104, as amended, is essentially a proposition that was presented last year and was not approved. The grade inflation accompanying monetary inflation in our society has been so pronounced in the past 10 to 15 years that a 2.000 grade-point average on a high school transcript today presumably is equivalent to a 1.5 of 10 to 15 years ago. The proposal to move the floor from 2.000 to 2.250 is a recognition of that inflation just as there are proposed increases for the minimum wage in Congress and the like.

Anyone who thinks that a 2.000 grade-point average today is a meaningful average for university success is not in tune with the times. So, I also would like to point out that an enactment of No. 104, as amended by No. 104-1, would not deny admission to institutions for the nonqualifier. It would merely prevent the nonqualifier from participating in either practice or competition in the intercollegiate athletics, or receiving athletically related financial aid for one-year minimum period. If the athlete, at the end of that one year, did achieve the 2.250 grade-point average at the institution, he then would become eligible for participation in intercollegiate athletics.

I urge strongly that the Convention face up to realities of grade inflation and erosion in our high schools and support No. 104, as amended.

James A. Castaneda (Rice University): I rise in support of the proposed legislation on the basis of a different way of looking at this—not as restrictive legislation, but as legislation that gives the NCAA an opportunity to exert its image, its reputation and its standards as an encouragement to the higher academic community at the high school level. We all know that athletes are proud of competing and rising to a level of expectation.

I think of the same from the NCAA because it is a very desirable organization with which to affiliate and has the opportunity to exert this beneficial impact by telling the students what our expectations are. I think it behooves us also not to separate the academic and the athletic in our considerations of this sort. I strongly urge passage of this legislation.

Richard P. Adinaro (Seton Hall University): I rise in opposition to this proposal. Seton Hall University services Essex County in New Jersey, which includes the city of Newark. This community is not

Black, it is not Hispanic, it is multiracial and multiethnic. In the absence of specific empirical evidence that there is a higher graduation rate for the 2.250 as opposed to the 2.000, I submit there is none. The 2.000 rule, if it is raised to 2.250, will insignificantly help students in their attempt and interest to compete in intercollegiate athletics.

I submit also since one of the gentlemen has brought up a question of grade inflation, that this probably would encourage the high schools to inflate their grades even more. In the absence of such evidence, I rise in opposition to No. 104.

Jack Jessel (Indiana State University, Terre Haute): The proponents of this proposal have indicated they want to raise standards. One of my special areas is psychometrics. I don't know whether delegates are conversant with the ins and outs of various scores. The total of 750 on the SAT or the score of 17 on the ACT involves psychometrics, as one of the standard deviations from the mean. Converted scores say that is a 13 percentile. You are saying that all of those that have taken the test, 87 percent are C students and exceed the 13 percent. I would ask you, would you rather be known as one who had a 2.000, which seems to be average, or a test score in the 13th percentile, which is considerably below average?

If that is a move toward upgrading academic standards, I fail to see it. I think what this proposes to do is delay aid and participation and really allows one to enroll in a junior college. All we seem to be doing here is punishing members of the Association and swelling the ranks of the junior colleges, and in no way does this seem to upgrade academic standards.

Mr. Larsen: I wish to correct the misstatement I made in my previous testimony. If No. 104, as amended, is adopted, the nonqualifier would be ineligible for financial aid based on athletic ability, for practice and for participation only for the first year of his residence at the member institution. Subsequent to that time, if the student-athlete met the standards for continued enrollment at that institution, he would meet the requirements for financial aid based on intercollegiate athletic skill and for participation and practice.

Secondly, with the recent allusion to the test scores provided here, at the time the Academic Testing and Requirement considered drafting its proposal, which was considered at last year's Convention, these were median test scores.

Clinton Prewett (East Carolina University): I wish to speak against this motion. It seems to me that we are concerned about thinking we are admission officers. What I am trying to say is that if we are going to correct all misstatements, I think it will take a long time to do it, because if you talk about grade inflation in high school and leave out grade inflation in college, you certainly have just covered part of the topic.

What I feel like is that if we do change this in any way, we will not get a corresponding enhancement in predictability. I definitely oppose the change.

Leo F. Miles (Howard University): I have to oppose this legislation.

Our university was organized and founded for the primary purpose of helping the socially, culturally and educationally disadvantaged. If you go back through the history of our 112 years, you can see we have had a long and distinguished success. Mr. Henry already has indicated to you some reasons why this legislation should not be passed.

I don't want to belabor the point of Nos. 104, 105 and 106. In my opinion, this is a step in a backward direction.

I see some other subterfuge that might be in this legislation, that occurred during the 1.600 prediction basis. In some kind of way, students miraculously were passing the SAT with certain kinds of scores that just didn't predict on their record. That was because, I think, we might have had people who were taking the exams for a lot of outstanding student-athletes.

Again, this is a bad piece of legislation. I urge your defeat of this proposal.

Albert E. Smith (North Carolina A & T State University): It is quite discouraging to me to find this organization taking something out of the hands of a lot of young people who happen to live in the inner city and are disadvantaged. I say that because I am Exhibit A. I guarantee you if this legislation had been on the books when I came out of the city of Chicago, I never would have been able to go to college; and I certainly couldn't stand here today with a Ph.D. I am saying to you, having worked in that city with youth gangs, there are problems we know we have. There are young people, there are human resources in these cities. Talented young people will not be able to escape the ghetto with this kind of legislation on the books.

I think in 1979, as has been our history, we are still concerned about trying to help the people of this country improve their positions in life. This legislation does not accomplish that. What I think it does is keep them in a position where they cannot help themselves. I urge this Convention with deep conscience to vote against this legislation.

Edward L. Hanson (Montana State University): I would like to support the gentleman from Indiana State. If you take these test scores and convert them, the test score of the ACT of 17 or the SAT of 750 is a three, which is way below average. If you really want to increase academic standards, increase academic standards; but do not put in test scores which are a subterfuge and give you an out to get people in with lower academic ability.

[Parts A and B of proposal No. 104 (pages A-96-97) were defeated by Division I. Part C was moot due to the approval of No. 103.]

Eligibility—2.000 Rule

E. John Larsen (University of Southern California): On behalf of the Council, the Division I Steering Committee and the Academic Testing and Requirements Committee, I move adoption of proposal No. 105.

[The motion was seconded.]

I move adoption of the proposed amendment to the amendment, No. 105-1, which is merely a technical procedure.

[The motion was seconded.]

The intent of No. 105 is to retain the definition of the 2.000 qualifier. Part A maintains that definition so that it has some meaning. Otherwise, there would be no 2.000 standard and no 2.000 qualifier concept defined in the NCAA legislation.

President Thompson: Isn't there also another point you should make, Jack, that A, B and C stand separately?

Mr. Larsen: That is correct. We vote on them separately.

[Proposal No. 105-1 (page A-99) was approved by Division I.]

Francis W. Bonner (Furman University): I move the adoption of No. 105-2.

[The motion was seconded.]

It is simply a matter of giving another year in which to get everything straight. It will be a little messy because so many students already have been recruited or are in the process of being recruited and admitted. If this were to go into effect in 1979, it would cause a lot of problems. We would like to see it delayed one year.

Charley Scott (University of Alabama): I would like to indicate that the NCAA Council endorses 105-2.

[Proposal No. 105-2 (page A-99) was approved by Division I.]

Mr. Larsen: Since we have had a considerable debate on the preceding proposition, there is no need for further debate. I will explain that there will be individual votes on parts A, B and C of proposal No. 105, as amended by 105-1 and 105-2.

[Part A of proposal No. 105 was defeated by Division I.]

Richard P. Adinaro (Seton Hall University): May I ask about parts B and C to clear it up in my own mind? Do B and C change the eligibility requirement insofar as it now requires the 2.000 plus the 17 or the 750 score?

Mr. Larsen: We find the defeat of A means that the 2.000 qualifier as used herein is defined as one who is a high school graduate and achieved a minimum ACT score of 17. Since we have changed the 2.000 from its present status, the adoption of B would be that a 2.000 qualifier is defined not in terms of a grade-point average but in terms of an ACT score.

Stephen Horn (California State University, Long Beach): I think this gentleman is right. As you read this language, because the "or" in No. 105-1 comes at the end of the sentence, those both would have to be combined. I would say frankly that I don't think you have allowed a budget provision to hire additional assistant directors for enforcement to accompany each student-athlete to the ACT and SAT tests, and fingerprint and photograph them as you carry out this rather complicated provision. I hope you will just vote it down.

Mr. Larsen: It is my understanding that the intent of No. 105-1 was to make certain if part A was defeated we still would have a 2.000; and that if B were enacted, then there also would be a 2.000 or the ACT.

President Thompson: Why don't we do it this way, Jack? It was the intent of this legislation that it be either 2.250 or 2.000, whichever you adopted, in No. 105; or it says ACT of 17 or SAT of 750. Whether we

have accomplished that or not is something else. Let us consult our legal people.

On closer examination of this, it looks like the "or" was put in the wrong place. The intent was that whatever provision you adopted, whether 2.000 or 2.250, or 17 or 750, either would satisfy the proposition. Apparently this was not accomplished in the language, and we now somewhat agree with what you are saying except we are trying to explain to you the intent.

Mr. Larsen: By our action on part A, the 2.000 plus high school graduation remains one means of qualifying.

President Thompson: That is right.

Mr. Larsen: If part B is enacted, the 2.000 plus high school graduation remains one method of qualifying; and we would add to the definition of a 2.000 qualifier an ACT score of 17 plus high school graduation. Is that not correct?

President Thompson: Yes, that is the intent. I want to ask you to bear with us, if you will accept this intent; and then we will try to accomplish the editing.

Mr. Adinaro: Just one more try to clear up the intent. If the intent is as you declared then you are adding an additional requirement—2.000, graduation and a 17 or 750 score.

President Thompson: No, sir.

Mr. Larsen: Currently, our standard for academic aid for an entering freshman is a high school graduate who had a 2.000 grade-point average. If we approve B, there will be an alternative to that standard, not an additional requirement. It will be an alternative that will provide that a high school graduate who achieved an ACT score of 17 would be qualified.

Frank J. Remington (University of Wisconsin, Madison): It seems to me this demonstrates the reason why we ought to require that the proposal be properly drafted. If it is in order, I would move that the proposal be referred to the Committee on Academic Testing and Requirements.

[The motion was seconded, and proposal No. 105 (pages A-97-99) was referred to the Academic Testing and Requirements Committee.]

2.000 Rule—Division I-A Football

D. Alan Williams (University of Virginia): On behalf of the proponents, I would like to move the adoption of No. 106. I also would like to note that we would like to withdraw parts B and C because of some of the problems connected with the previous item.

[The motion was seconded.]

This is a matter of deep concern, particularly to those of us who are engaged in football. As I pointed out during the previous discussion, the problems are especially acute in football because the student frequently is involved in intercollegiate athletics before he is involved in intercollegiate academics.

Stephen Horn (California State University, Long Beach): I think

my concern here is the whole morass in which we find ourselves when we debate the statistical prodigy of 2.250 in relation to 2.000.

I just don't think that we should fuss around with a few points. You are either a C student or you are not, and 2.000 still is a C. Therefore, I would move that this matter be referred to the Committee on Academic Testing and Requirements to be considered with the other proposal.

[The motion was seconded; and proposal No. 106 (pages A-100-102) was referred to the Academic Testing and Requirements Committee.]

Seasons of Competition

Cecil N. Coleman (University of Illinois, Champaign): On behalf of the Council, I move proposal No. 107.

[The motion was seconded.]

The intent, as you can see, is to equate the competitive experience of student-athletes participating in NCAA championships. It applies to the domestic athlete as well as the foreign athlete. The applicability of this is that participation in any season after their 20th birthday in a varsity intercollegiate sport, as well as in any organized athletic competition, shall count as a season of competition.

This has been before the Convention in the past. It is presented at this time once again because of the large number of complaints that we have from coaches' groups to the Executive Committee and to the Council.

Rev. Joseph Eagan (University of San Francisco): I would like to speak against No. 107. This proposal deprives a student-athlete of his basic right to compete in collegiate athletics, and it does this solely on the basis of a student-athlete's age and previous legitimate athletic experience. To thus deprive student-athletes of this basic right is to invite legal action. Furthermore, it appears that this proposal is aimed specifically at the sport of soccer in which older, foreign players do compete. This proposal is, therefore, discriminatory to those institutions in which many foreign students are enrolled.

My own university has more than 20 percent foreign students. I believe strongly that foreign student-athletes who qualify for academic eligibility deserve the same treatment by the NCAA as the American student receives.

I would like to make a further point here. Excellent foreign soccer players are doing a significant service in upgrading the caliber of American collegiate soccer. This often is overlooked.

I also would like to stress that it is not only foreign students who are discriminated against by this proposal. Yesterday's paper carried a feature article about an American goalie just signed by a professional team. This young man, American born, is 27. He spent four years in the Coast Guard where he played organized soccer regularly. After leaving the Coast Guard, he enrolled in our university and competed for four years in intercollegiate soccer. Three of those years his team was the NCAA Division I champions. This proposal would have denied him those three years of collegiate competition and the excellent coaching and experience that went with it. So, I strongly would urge you to vote

against proposal No. 107.

Michael T. Johnson (University of Houston): The previous speaker may have answered my question. I was wondering if this would exhaust the eligibility of men and women who participate in athletic competitions in the military? If they participate in athletic competition beyond age 20 in the military, would it also exhaust their eligibility?

Mr. Coleman: The answer is yes.

Mr. Johnson: Then I would speak in opposition to it. I think it would be wrong to exhaust the opportunity of men and women who go in the military prior to going to college and say to them if they participate beyond age 20 that it either totally or partially exhausts their eligibility for competition.

[Proposal No. 107 (page A-102) was defeated by all divisions.]

[Proposal No. 108 (page A-102) was acted upon earlier (see pages 153-154). Proposal No. 109 (page A-103) was moot because of that action.]

Graduate Eligibility

John P. Dratz (University of Tulsa): I would like to present No. 110 and I move its adoption.

[The motion was seconded.]

The intent is quite simple. We already have agreed that graduates should be eligible to play under certain conditions, and we simply wish to provide an avenue for adequately defining the full-time graduate student.

Edward M. Bennett (Washington State University): The Pacific-10 Conference would like to move amendment No. 110-1.

[The motion was seconded.]

[Proposal No. 110-1 (page A-104) was approved by all divisions, and then proposal No. 110 (pages A-103-104) was approved by all divisions.]

Hardship

Edward S. Betz (University of the Pacific): I move the adoption of proposal No. 111.

[The motion was seconded.]

The Committee on Women's Intercollegiate Athletics met as usual last summer and decided that the paramount issue which you would want us to speak to would be to try to arrive at a commonality of rules between the AIAW and the NCAA. We have appointed a subcommittee which met subsequently with a subcommittee of the AIAW.

We met for two days, in a very cordial atmosphere. I think we made a good deal of progress in terms of mutual understanding of our problems. We made some progress in agreeing in the subcommittee that we ought to set up a common set of rules. But the bottom line was not very productive.

We came out of the subcommittee meeting with four proposals to go to the respective Councils for the two organizations. One of these is advanced to you this morning. The other three proposals were a liberalization of the transfer rule for students receiving nonathletically

related aid. This was not advanced to this Convention by the NCAA Council. Another recommendation was that students be allowed an athletic grant plus the BEOG grant, which is the AIAW provision. This was not advanced to the Convention by the Council.

Another proposal was that the AIAW adopt the five-year rule of the NCAA. This was not advanced to their Convention by their council.

I find it very difficult for the two organizations to get together on a common set of rules. It may be that the only way we can reach a common set of rules is by offering national championships.

Now, to the motion on No. 111. This is a compromise action which is to us logical. At the present time, the number of games in which a person might be injured and still receive the hardship waiver differs among sports. This would make it consistent across the board—20 percent, not two or three or six games, but 20 percent in each sport.

Edwin P. Horner (Baylor University): I have a question. Does the completed event include postseason basketball games?

President Thompson: This is the regular season, as I understand it.

Robert C. Brown (Southeastern Louisiana University): For a school that had decided to have only six contests in track, the student would have only one opportunity, the first one. Now, they have three. I just wanted to point that out.

R. Bruce Allison (Colorado School of Mines): The only concern I would have with this legislation is that in two of our intercollegiate programs—football and basketball—we have scheduling limitations by rule. I would see no reason in the world why an institution or a coach of an institution in other sports couldn't schedule several additional games to see that their star is covered.

Everett J. Phillips (Fredonia, State University College): A point of inquiry. In a season with an odd number of games, 20 percent comes out to a fraction. Do we go up or down with the fraction?

Mr. Betz: That would have to be a case that would have to come up for a specific ruling. You have either the option of going up, as someone says, or any time you are above in a fraction striking at the 50-percent point. So if 12 games were scheduled, it would be two that would be used because 20 percent is 2.5. In the case of 13 games, 2.6 is 20 percent and it would be above the point, so there would be three games. The initial ruling will have to be made on that at some point.

President Thompson: I think we are in disagreement on that, and I think that is an important point. If it is more than 20 percent, then it doesn't count.

Kenneth G. Germann (Southern Conference): A point of clarification. Take basketball, for example, with 27 allowable games. The middle of the season is 13 games, and that would be the maximum that you could work on in basketball, not the 27. But the injury would have to occur during the first half, which is 13. Do we take 20 per cent of that?

President Thompson: No, 20 percent of the 27.

[Proposal No. 111 (page A-104) was approved by all divisions.]

[Proposal No. 112 (pages A-104-105) was withdrawn.]

Hardship

Edward S. Betz (University of the Pacific): I move adoption of No. 113.

[The motion was seconded.]

This is to bring the hardship provision rule into line with the definition of the season as found in Bylaw 3-3, including scrimmages in the contest limitations.

Andrew T. Mooradian (University of New Hampshire): I don't think counting scrimmages is quite fair. Most scrimmages are controlled. We have scrimmages in football where a team will run 10 plays and then turn the ball over. At times there have been three teams involved in scrimmages. Usually, the coaches are on the field. I would like to see the interpretation be regularly scheduled contests. I would urge voting against this amendment.

[Proposal No. 113 (page A-105) was approved by Division I and defeated by Division II (43-48) and Division III (41-74).]

Individual Eligibility

Kenneth Herrick (Texas Christian University): On behalf of the Council, I should like to move No. 114.

[The motion was seconded.]

What this change in wording is designed to do is make it possible for the athlete who has been declared ineligible at the start of the semester to "get well." He could "get well" if the professor was late in getting a grade in and got the grade in later, the grade was satisfactory and it completed the requirements for an incomplete. My understanding is at the present time once an athlete is declared ineligible at the start of the semester, there is no way of correcting that situation until the end of the semester regardless of what the grade change may be.

[Proposal No. 114 (pages A-105-106) was approved by all division.]

Transfer Rules—Waiver

Harry M. Cross (University of Washington): On behalf of the Pacific-10 Conference and the NCAA Council, I move the adoption of No. 115.

[The motion was seconded.]

I was startled to discover that at my own institution a student who had transferred from another collegiate institution—as it happened, a foreign institution—was in trouble. This proposal specifies that a waiver of the transfer residence requirement may not be granted if the student participated in organized, noncollegiate amateur competition while enrolled in a collegiate institution.

[Proposal No. 115 (page A-106) was approved by all divisions.]

Transfer Rule—Waiver

Frederick E. Gruninger (Rutgers University, New Brunswick): I move adoption of proposal No. 116.

[The motion was seconded.]

What this does is to permit the application of the transfer rule waiver in cases where a portion of the consecutive two-year period of nonparticipation occurs after the date on which the student transferred. This in no way jeopardizes the two-year participation, but gives the opportunity to the student-athlete who has transferred into that institution, who still stayed out for two years, the opportunity to participate. I urge its adoption.

[Proposal No. 116 (pages A-106-107) was approved by all divisions.]

Transfer Rule—Division III

Charles A. Kerr (Ithaca College): I would like to move adoption of proposal No. 117.

[The motion was seconded.]

I would like to preface this by saying Division III is not infringing upon Division I and Division II at the subvarsity level. What this legislation permits is if a subvarsity student at a Division I or Division II school cannot compete, or you feel he will not help your varsity program and he transfers to a Division III school, all Division III is asking is your permission that he can come under our transfer rule and immediately be eligible.

I think that the NCAA recognizes competition. This allows an individual who may not make it at a Division I or Division II school the opportunity to play at the varsity level at a Division III institution. I urge the adoption of this legislation.

Everett J. Phillips (Fredonia, State University College): As one of the original proposers of the Division III transfer rule, I have to raise opposition to this amendment. I do not feel it is in the spirit of the original proposal, and I would like to point out one situation. If a young man was a wrestler at a particular institution who was unfortunately behind, he would be wrestling junior varsity matches most of the year. Under this proposed legislation, he would transfer and be immediately eligible at a Division III institution. I don't think that is what we want. I think we are interested in competition, but having once made a decision to enter a grant-in-aid-program, I have no real sympathy for that athlete who then decides he can't make it and wants to transfer back.

[Proposal No. 117 (page A-107) was approved by Division III, but subsequently rescinded (see page 168).]

Postseason Football Contests

LeRoy S. Seils (Denison University): I move adoption of No. 118.

[The motion was seconded.]

The intent is to establish a procedure by which the Council may approve postseason international competition by a member institution's football team. This establishes the mechanism by which the Council, with a two-thirds vote, may approve postseason competition in football. It also provides for an exception to the limitations on the football-playing season and the number of contests by a two-thirds vote of the Council. Such competition thus is kept in perspective by the Council's control and can be a rewarding experience for the student-

athlete. Also, it will help expose and spread the popularity of the American college football.

[Proposal No. 118 (pages A-107-108) was approved by all divisions.]

Transfer Rule—Division III

Chalmer G. Hixson (Wayne State University): I am so concerned about No. 117 that I would like to call for an Association review. This refers to an Association review of the action of a separate division such as a general membership vote, etc. Am I in order to call for that? I do call for that, sir.

[The motion was seconded.]

This proposal has such potential impact on this Association that I think we need to discuss it further. The relationship among the three division is at stake here, I think. At least, it is involved tremendously. If we are going to continue to move in the direction of a federation of three divisions, I think this pushes us much farther away than I would like to see happen.

I am very much concerned about the kind of impact and abuses that might grow out of this particular proposition. I urge the Association to defeat this at this time.

President Thompson: All right. You are calling for rescission. This is a rescission motion and takes a two-thirds vote of the entire Convention. Is there any further discussion of this rescission motion?

Kenneth J. Weller (Central College, Iowa): It seems to me that when this proposal originally was passed, we did so in the interest of the participants. We recognized there was a distinct possibility of a violation of the spirit, in that voluntary transfers and raiding could be encouraged.

It seems to me this proposal greatly opens the doors to those evils. It is quite conceivable, it seems to me, that a participant in one or two institutions have clear-cut potential as an excellent athlete in his later years, but not participate on the varsity immediately. In this situation it would be quite conceivable that he might be disgruntled, having not achieved the dreams of his high school days for instant stardom, and voluntarily leave the institution. Possibly among Division III institutions, there would be a temptation to go after that person.

It seems to me that we should be very, very careful about opening up this kind of a possibility that could be extremely detrimental to the interests of the NCAA as a whole, and to the relationships among the various divisions.

[Proposal No. 117 (page A-107) was rescinded, (See page 167 for the original discussion).]

[Proposal No. 119 (pages A-108-109) was withdrawn.]

Preseason Football Practice

Chalmers W. Elliott (University of Iowa): I move adoption of proposal No. 120.

[The motion was seconded.]

The intent of this is to allow student-athletes in Division I schools,

when they are entering for the first time, to participate in a four-day orientation period. This would include both a technical point of view and a social point of view, with noncontact practice sessions and orientation that will bring them up to date. It will allow the football coaching staff to work with these young men, to give them a chance to know what is expected of them and what is going to be done as far as the season is concerned.

We think with the adjustment period being difficult as it is with the freshman group, it would be a fair advantage for them to come up to the level and participation of the varsity men. I urge the adoption of No. 120.

David Hart (University of Missouri, Columbia): I echo the same sentiments as Mr. Elliott. I think this proposal definitely benefits the young student-athlete who needs this time for adjustment. Since freshmen already are eligible, this gives the incoming freshmen a chance to get oriented before having to join a squad on a totally unfamiliar basis. I urge the Convention to pass this proposal.

[Proposal No. 120 (pages A-109-110) was approved by Division I-A football, 83-54.]

Basketball Playing Season

Arthur J. McAfee Jr. (Morehouse College): On behalf of the Division III Steering Committee and the Council, I move No. 121.

[The motion was seconded.]

Let me say this at the beginning—basketball practice would not start early. We are just asking for permission to begin the regular season on the next to the last Friday of November, and it pertains mainly to the Division III institutions that don't sponsor football and also have a complete month between semesters during December and January.

[Proposal No. 121 (pages A-110) was approved by Division III.]

Basketball Playing Season

Wiles Hallock (Pacific-10 Conference): I move adoption of No. 122-1.

[The motion was seconded.]

President Thompson: Let's explain where we are. No. 122 has been withdrawn, and we have a resolution, No. 122-1, which is in order.

Both amendments, No. 122 and resolution No. 122-1, have the same purpose, which is to preserve the traditional conference playing seasons starting in January. I am going to read the resolution, because it presents precisely what the conferences, particularly in Division I, feel is a great concern to them.

"Whereas, a subcommittee of the NCAA Executive Committee and Division I Basketball Committee currently is conducting negotiations for television rights to future National Collegiate Basketball Championships, and

"Whereas, NCAA member institutions have experienced increasing difficulty in scheduling their regular-season games in the time period allowable;

"Now, Therefore, Be It Resolved, that this Convention request the

Executive Committee to instruct the subcommittee in the current negotiations to allow for 10 full weekends of play for the regular basketball season commencing with the first weekend in January, irrespective of any proposed changes in the National Collegiate Basketball Championship format which might alter the playing dates of the championship itself."

Seaver Peters (Dartmouth College): I am a member of the Executive Committee who serves on the Basketball Television Negotiating Committee. Both the Executive Committee and the basketball committee authorized the negotiating committee to extend the tournament format by one week if significant dollars were involved. But as I read this it would be impossible.

Mr. Hallock: I think "request" means just that, that the Convention, if the resolution passes, does request that the Executive Committee instruct the negotiating committee. Now, as far as the tournament format is concerned, the conferences feel very strongly that they wish to be able to start the conference season in the first week in January, not before then, and complete it prior to the beginning of the NCAA championship regardless of when that championship tournament is scheduled. That is the point of the resolution.

Mr. Peters: In effect, though, it does lock in the tournament, I believe, because the carrying network wouldn't be interested in television the tournament at the start of the baseball season. I think there is a problem for this committee. I guess what I am really asking, is whether the Executive Committee, could say no. Is this to be considered just a request?

Mr. Hallock: We simply wish to make it known to the Executive Committee that this is a serious concern to us, and would hope that prior to the negotiating committee's concern about the tournament itself, that it confer with the conferences.

Charles M. Neinas (Big Eight Conference): I think I speak on behalf of my colleagues in this regard if the negotiating committee is asking for direction. I think what we are asking for is to have 10 weeks to complete anywhere from a 16- to 18-game schedule, while an extension of the basketball tournament format would provide that you have to play four games in four weeks or no more than five. I don't think what we are asking for is out of order.

[Proposal No. 122-1 (page A-111) was approved.]

Basketball Playing Season

Lawrence S. Beckhouse (College of William and Mary): On behalf of the institutions listed in the program, I move the adoption of proposal No. 123.

[The motion was seconded.]

This proposal amends Bylaw 3-2-(e) and permits member institutions to participate in the Hall of Fame Tip-Off Classic in Springfield, Massachusetts, after November 1.

Edward S. Steitz (Springfield College): Mr. President, I point out with pride that the Basketball Hall of Fame is located on an NCAA member's campus. As a result, the basketball coaches have given strong

support. It has received strong support from the NCAA, and the basketball-playing institutions appreciate and acknowledge the Council's support of this amendment; and we respectfully urge adoption of this amendment.

[Proposal No. 123 (page A-111) was approved by all divisions.]

Basketball Playing Season

Gary Bliss (University of Alaska, Anchorage): I move adoption of No. 124.

[The motion was seconded.]

This proposal would permit institutions to play basketball games in Alaska or Hawaii, after November 1, under specified conditions.

Carl James (University of Maryland, College Park): Mr. President, would these count as one of the 27 allowable games?

President Thompson: I think the answer is no.

Mr. James: I stand in opposition to this rule. I think you will have a number of teams making the trip to the University of Hawaii or Alaska for one or two or more games, while other teams around the country will not have this opportunity. I think it is a discriminatory rule.

Jerry Wyness (West Coast Athletic Conference): I speak in opposition to this. As I read this, it allows the two sponsoring institutions to conduct full-scale basketball during an early period of time; and this would not only be discriminatory to those schools not involved, but it would give schools a decided advantage in talking to prospective basketball players.

[Proposal No. 124 (pages A-111-112) was defeated by all divisions.]

Football Practice—Division III

William D. McHenry (Washington and Lee University): Mr. President, I move adoption of proposal No. 125.

[The motion was seconded.]

The intent is obvious. It will permit institutions classified in Division III in football to conduct spring football practice without pads in the period specified. This will be for a limited period of 10 sessions and a period of 21 calendar days without equipment.

William C. Stiles (Hobart College): I am a member of the Division III Football Committee. We speak against this amendment. We feel that any school in Division III that has spring football practice has an advantage over the majority of the ones that don't.

Gordon M. Brewer (Hope College): Speaking on behalf of the Council, I should like to speak in opposition to this proposal. The Division III Steering Committee feels that spring football practices of any kind is not really consistent with the degree of emphasis desired by the great majority of Division III schools.

Also, there are some practical considerations we believe should be taken into consideration. One of our inducements is that a student can come to one of our schools and compete in more than one sport. We feel that spring practice militates against this. A second consideration, of course, is the problem of staffing. Many of our coaches are multiple-

sport coaches, in that they have other responsibilities in addition to football. If this spring sport now has to be handled by someone else, it probably will lead to an economic problem that we are not ready to shoulder at this time.

Finally, I would just say to the Old Dominion Conference that I can sympathize with the problem of having to schedule Division II schools as well as NAIA schools. This happens in our conference. I think our approach has been that we recognize and acknowledge that we are, in fact, Division III: and we concede to our opponents the advantage of spring practice, and we try to overcome it.

[Proposal No. 125 (page A-112) was defeated by Division III football.]

Football Practice—Division III

Gordon M. Brewer (Hope College): On behalf of the Council and the Division III Steering Committee, I move adoption of proposal No. 126.

[The motion was seconded.]

This would do away with the present waiver possibility for spring practice.

Thomas O. Meinhardt (Towson State College): I rise in opposition to No. 126. The reasons for this, I think, are a little different than for No. 125. One of the strengths of this organization has been its flexibility over the years. If you will look through the rules, you will note that we have all types of provisions for waivers. To eliminate a waiver is bad legislation. For example, there are teams that will be changing classifications from year to year. In order to change your classification, you must show the Classification Committee that your schedule has been upgraded to another level. If you show a much stronger schedule, you will not be allowed to have spring football because your application for reclassification would not be voted on until June 1. Therefore, it is discriminatory.

I think it is bad legislation, and I would hope that the members of Division III would at least allow a waiver proposition to remain. This would then leave the final decision up to the Council.

Roger I. Robinson (Cortland, State University College): I would agree with the gentleman, with the exception that if they were planning on upgrading they would not be considered for the NCAA Division III Championship.

[Proposal No. 126 (pages A-112-113) was approved by Division III football, 59-28.]

Foreign Competition

John L. Toner (University of Connecticut): On behalf of the Council, I move adoption of No. 127.

[The motion was seconded.]

In order to express the intent of this amendment, it is necessary that I move the adoption of the amendment to the amendment, No. 127-1.

[The motion was seconded.]

Speaking only to the amendment to the amendment, I wish to add

the underlined "one or more foreign countries on one trip." I would urge the adoption of this amendment to the amendment.

[Proposal No. 127-1 (page A-113) was approved by all divisions.]

Mr. President, the intent of No. 127 is simply to limit regular-season football and basketball contests played in foreign countries which are not contiguous to the United States to the same once-in-four-years provision applied to foreign tours in those sports.

Ernest C. Casale (Temple University): I would like to speak in opposition to this proposal. This proposal has lots of ramifications. The amendment would add a new dimension to Bylaw 3-5-(c). There is no reference to inseason play. But this proposed Bylaw 3-5 would be extended to inseason play. To me this is bad. I don't think the NCAA should be in a position to legislate that. Institutions should have the privilege of playing inseason games on its campus and any other location in the state or in another state, or in any foreign country.

Some of our members have branch campuses in foreign countries, and this proposal would prohibit those schools from playing, as an example, regularly scheduled basketball games each year at these locations.

Possibly, a concern is the recruiting advantage of games scheduled in a foreign country. It might have some advantage, but I remind you there are recruiting advantages to participating in bowl games each year; and we have no restrictions in that area.

This amendment exempts Mexico and Canada. This implies that an institution with friends in Mexico or Canada can play there every year, but institutions with friends in Brazil can play only once every four years. This should be an institution's prerogative. I, therefore, urge the defeat of this proposal.

John L. Toner (University of Connecticut): In all due respect to the points Ernie made, I believe the Council was sensitive to the fact that many of the institutions are located to close countries that are contiguous to us, and the competition as it relates to them is very convenient and takes no more time away from study than one competing in the heartland of the country. More particularly, the Council believes a trip once every four years does not limit the educational and cultural values of such a trip; but it does protect against the competitive urge to "keep up with the other guy." Every one of us would like to give each student-athlete the possibility of such a trip once during his time at school.

[Proposal No. 127 (page A-133) was approved by all divisions as amended by No. 127-1.]

Football Coaching Staff

Robert C. James (Atlantic Coast Conference): On behalf of the sponsors listed in proposal No. 128, I move its adoption.

[The motion was seconded.]

At a meeting this summer with a number of football coaches from across the country, it was determined that part-time coaches really are becoming a problem in the control of the program. Instead of really providing an opportunity for a coaching experience these coaches are,

in fact, being used as full-time recruiters on the road. We feel that with the adoption of this legislation it would provide for the coaching opportunity but eliminate the misuse. I urge its adoption.

[Proposal No. 128 (pages A-113-114) was defeated by Division I-A football, 52-83. A subsequent motion to reconsider was defeated.]

Coaching Limitations—Recruiting

Eugene F. Corrigan (University of Virginia): On behalf of the Council and the Division I Steering Committee, I move the adoption of proposal No. 129.

[The motion was seconded.]

Mr. James said one of the reasons for No. 128 was that the people on the Council and on the steering committee felt that having graduate assistant part-time coaches on the road was a problem and did lead to possibly more violations. What this proposal does is to specify that only head coaches and full-time assistant coaches shall be permitted to recruit or scout off campus.

Paul F. Dietzel (Louisiana State University): Due to the failure of No. 128, I am very much opposed to No. 129. I really can't quite understand the reason for No. 129. I don't quite agree with what has been said. A couple of years ago we placed some limits on our coaching staffs in football. At the time I was at Indiana University, and at that time it caused us to reassign or fire two of our coaches. One is now a counselor and the other one is selling life insurance.

I doubt really that many organizations could restrict the number of jobs for their members without a bevy of lawsuits coming up. I think our legislation a couple of years ago created a tremendous number of fired football coaches around the country. If you don't believe that, walk over to the Hilton hotel right now and walk through the lobby. By the way, if you happen to have a job or there is a rumor you have a job open, don't bother; you will not get through the lobby. There are many young coaches over there who very badly want to get back into coaching. There are a lot of old coaches who would like to get back into coaching.

I think the young men of the coaching profession are the life blood of this organization. If that is not the case, I wonder why the NCAA pumps so much of the Association's money into scholarships, as we did yesterday; and why we looked with great pleasure at the youth of America, who were trying to find encouragement in athletics. Our football coaches are very, very worried about the game of football. Many of our athletic programs are very, very dependent upon the sport of football.

Yet, two days ago the American Football Coaches Association a their trustees' meeting—passed unanimously this resolution: "Because of the present limited opportunities for young men to get into college football coaching, the American Football Coaches Association strongly opposes any further restrictions to be placed on staff personnel."

I think perhaps there are some abuses in using part-time coaches for recruiting. But to say that we need to do away with these positions from the standpoint of economics does not make any sense, because the

part-time coaches don't come out of our budgets of athletics. To say it is a matter of recruiting to keep the big people on top I don't think is really true. Those of you that have been around athletics for a long, long time know that the same people seem to stay on top. It is not based on coaching but on the possibility of recruiting in very good recruiting areas.

Therefore, because of the situation and the restrictions that we already have, I urge the Convention to reject proposal No. 129.

William J. Flynn (Boston College): I would like a point of information. It says only full-time coaches can recruit. You are allowed eight full-time coaches and one head coach. If you have six full-time and two part-time coaches, can the two part-time coaches recruit? In a case of basketball, you are allowed three full-time coaches. If you only use two full-time and one part-time coach, can that part-time coach recruit?

President Thompson: Not under this proposal, as I understand it.

Mr. Flynn: If that is true, I urge the defeat of this proposal.

John Semanik (Drexel University): I speak in opposition to this proposal. We have one full-time head basketball coach, one full-time assistant basketball coach, and one part-time assistant basketball coach. I believe a definition was given of a part-time assistant as one whose primary duties are to scout and recruit. Our part-time assistant basketball coach spends at least 50 percent of his time coaching in addition to recruiting and scouting. It would be a real financial problem for us to go out and hire another full-time assistant basketball coach.

I think in the years to come many of you will be in a situation where you will be very happy to have a part-time assistant coach, because of the financial problems involved. I, therefore urge you to defeat this motion.

James Lessig (Bowling Green State University): May we have a point of clarification on the word "scout"? Does it mean the part-time coach, if this is passed, cannot go out and scout for prospective high school athletes, but he can go out and scout opponents; or does it mean he can't leave town to do any type of scouting? I need an interpretation.

President Thompson: Scouting opponents would be permitted, but scouting for athletes, would not.

[Proposal No. 129 (page A-114) was defeated by Divisions I-A and I-AA football. No. 129-B was defeated by Division I.]

[Proposal No. 130 (pages A-114-115) was withdrawn.]

Coaching Staffs—Additional Teams

Dick Schultz (Cornell University): Mr. President, on behalf of the sponsoring institutions, I move adoption of No. 131.

[The motion was seconded.]

The explanation is very brief, but we want to make sure that this is not misunderstood. The intent of this is to assist those of us who still have freshmen programs; in other words, those schools whose freshmen are not eligible to participate on the varsity team. We also have coaching staffs that are below the maximum limit of full-time people.

We see this as a direct help to those institutions that have those types of programs.

I would like to point out that in order to have the two part-time coaches that would be available for each additional football team, these teams would have to play at least four contests and these part-time coaches would not be allowed to go on the road and recruit.

[Proposal No. 131 (page A-115) was defeated by Divisions I-A and I-AA football.]

Scouting Limitations

Robert C. James (Atlantic Coast Conference): On behalf of the institutions listed, I move proposal No. 132. The intent is clear. It reverts back to the legislation we were operating under last January.

[The motion was seconded.]

[Proposal No. 132 (pages A-115-116) was defeated by Division I, 83-118.]

Resolution: Title IX

Edgar A. Sherman: Mr. President, I move No. 133, the resolution regarding Title IX.

[The motion was seconded.]

I will not discuss it any further. If you were at the round table, you heard Phil Brown and Bud Davis give you all the information that you might need. I understand the transcript will be available for any of you who would like to pick it up later.

President Thompson: Let me amplify that last statement. A transcript of the general round table will be available in around 7 to 10 days. You will need to leave your name at the registration desk in order to get those transcripts. The second point is that only one copy per institution will be mailed, so make out only one request.

Stanley E. McCaffrey (University of the Pacific): I wish to speak in the strongest possible terms in support of this resolution. I believe that few, if any, actions which have taken place in recent years will have as much impact on our colleges and universities as Title IX. Now, I think it is true that none of us knows the extent of that impact. Some, like my friend and colleague Chuck Young, believe it will be something that we can handle.

Many of us, including myself, believe that it will be far beyond Chuck's estimates in even more modest programs, like my own. I do not believe there is an institutional representative in this room who will get by without increasing expenditures in the amount of \$100,000. I believe that for many of us it will go closer, will definitely be more than one-half million dollars and go higher in some instances.

There is no question that it will have enormous impact in these times of very short dollars for the total university program, including intercollegiate athletics. Finding those amounts of money, whether it is \$100,000, \$500,000 or more will be extremely difficult, if not impossible. Now, this resolution, and I hope you have had the opportunity of reading it, expresses our support of women's athletics, points out that we have endeavored to afford equal opportunity but expresses concern

for certain provisions of the Title IX regulations and interpretations.

I believe it is a very reasonable statement of concern. It does not say throw the whole thing out, we can't live with it. I believe that would be ridiculous to do that. But it does express concern. Each of us as an institution has the opportunity and I believe the responsibility of communicating our comments on the interpretation to HEW. I hope all of us will do so. However, I believe it would be effective and impressive if we, as a group of members of this Association, voiced our concern by supporting this resolution.

If we do not, I think we would fail in this important opportunity; and it might be interpreted that we are not very concerned. Secretary Califano, the secretary of the Health, Education and Welfare whom I respect, has been quoted as saying he thinks the institutions can live with this, that it will not have much adverse effect on it. I think Secretary Califano has been given misinformation. He is dead wrong. I have computed our own situation, and we have a modest program, and I think it will cost us anywhere between a quarter and one-half million dollars just in our modest program. That gets my attention.

I think that it is serious. There is no other program in our university that has such escalating cost at this time for endeavoring economy. I think this is most important that we endorse this resolution resoundingly, and I urge a yes on your part for it.

[Proposal No. 133 (pages A-116-117) was approved.]

8. REPORT OF THE COMMITTEE ON COMMITTEES.

E. John Larsen (University of Southern California): On behalf of the Committee on Committees, whose members are listed in your Convention Program, I wish to express the gratitude to the NCAA administrative staff for its valuable assistance in our deliberations. I call to the attention of the Convention the handout entitled "Report Of The 1979 NCAA Committee On Committees," which was provided at the ends of your tables here.

Therein is listed the committee's nominations for the positions indicated, and I move the election of the nominees so indicated.

[The motion was seconded and approved.]

9. REPORT OF THE NOMINATING COMMITTEE

John L. Toner (University of Connecticut): On behalf of the Nominating Committee, it is my privilege to present to the membership its slate. The committee recommends for president William J. Flynn of Boston College, and for secretary-treasurer, James Frank of Lincoln University (Missouri).

For district vice-presidents, the recommendations are: District 2—Olav B. Kollevoll, Lafayette College (Division I moved from at-large position); District 4—Fred Picard, Ohio University (Division I); District 5—Aldo A. Sebben, Southwest Missouri State University (Division II, to complete the unexpired term of James Frank); District 6—Kenneth W. Herrick, Texas Christian University (Division I); District 8—John R. Davis, Oregon State University (Division I).

For vice-presidents at large the committee has nominated John Pont, Northwestern University (Division I, District 4) and Robert F. Riedel, State University College, Geneseo (Division III, District 2, to complete the unexpired term of Olac B. Kollevoll).

Mr. President, it is my pleasure to move that you receive this report of the Nominating Committee.

[The motion was seconded and approved.]

President Thompson: I would like to ask the gentlemen to come forward.

[The assembly extended a prolonged rising ovation.]

These people have been elected. Others will continue. They have been introduced to you previously. But at this time I should like to ask Cecil Coleman, Ed Betz and Ray Whispell to come forward. (Applause) These three gentlemen are completing their terms on the Council, and I want to personally express my great appreciation to them for their very fine service. (Applause)

I want to say personally and on behalf of Ed Sherman, in regard to the Council and Executive Committee, how much we appreciate the contributions and dedicated service of those two groups. I want to go a step further. I want to add the appreciation we have for Walter Byers and the entire staff. This is the most dedicated staff I have ever seen. I would like for you to give them a hand, please.

[The assembly extended a prolonged rising ovation.]

President-Elect Flynn: Thank you very much, Mr. President. It is really a surprise, and I am pleased and naturally humble to be selected to be your president. I feel it is a great honor, because I think the NCAA is a great organization, does great work, and I think it is due chiefly to you people that make up the NCAA. You are a great group of guys and I am looking forward to working with you very closely.

I think I would be remiss if I didn't congratulate our outgoing president. He has done a super, super job.

[The Assembly extended a prolonged rising ovation to past President J. Neils Thompson.]

Also, I would like to recognize Ed Sherman, a great friend of mine, who has served on many, many committees with me. He is like the Rock of Gibraltar. He is so sturdy and steady. No matter how big the wave, Ed always comes up on top. I think he has done an excellent job.

[The Assembly extended a prolonged rising ovation to outgoing Secretary-Treasurer Sherman.]

Lastly, the secretary-treasurer and president have to work very closely together, and I am very pleased that you have selected such a capable fellow that knows so much about the NCAA, Jim Frank. We are certainly looking forward to working with you people. The hills behind look small and the hills ahead look high, but I know working together we can get there. Thank you very much. (Applause)

President Thompson: Thank you very much, Bill. You are in good hands and I want to say, as you said, this is a fine group to work with and the response of the membership of the NCAA in this Convention,

the past Convention and all activity, is wonderful. It is a great group and I am grateful to each one of you. With that, I want to say is there any other business?

If not, the meeting stands adjourned.

[The Convention was adjourned at 11:40 a.m.]

TOPICAL GROUPINGS OF PROPOSED AMENDMENTS TO THE ANNUAL CONVENTION

Proposal Number	General Topic
1 through 10	Consent Package—Constitution
11 through 20	Consent Package—Bylaws
21 through 25	General
26 through 32	Amateurism
33 through 40	Membership Classification
41 through 49	Entertainment and Compensation
50 through 55	Financial Aid
56 through 60	Organization
61 through 65	Marketing
66 through 117	Eligibility
118 through 120	Playing Season
121 through 122	Personal Limitations

Consent Package—Constitution

Proposals 1 through 10 are offered as a "consent package" of constitutional amendments considered to be non-controversial or "housekeeping" in nature. Any objection from an officer or voting member to any item contained in this package will require that item be a separate vote. The remainder of the package will be voted upon with a single vote, requiring a two-thirds majority approval for adoption.

NO. 1 AMATEURISM

Constitutional Amendment Article 2, Section 1(a), (b), (c) and (d), pages 7-11 as follows:

[All decisions unanimous vote]

Appendix A

73rd Annual Convention

LEGISLATIVE PROPOSALS

[Note: In the following proposals, those letters and words which appear in *italics* are to be deleted and those letters and words which appear in **bold face** are to be added. All proposed amendments shall be effective as indicated; the term "Immediately" means that the legislation, if adopted, becomes effective upon adjournment of the Convention. All page numbers listed refer to the corresponding pages in the 1978-79 NCAA Manual. All votes were by show of paddles unless otherwise indicated. *Only those proposed amendments upon which the 73rd Convention took some action appear in this appendix. Amendments to amendments follow immediately the proposal to which they relate.*]

TOPICAL GROUPINGS OF PROPOSED AMENDMENTS 73rd ANNUAL CONVENTION

Proposal Numbers	General Topic
1 through 10	Consent Package—Constitution
11 through 29	Consent Package—Bylaws
30 through 36	General
37 through 42	Amateurism
43 through 60	Membership Classification
61 through 69	Enforcement and Compliance
70 through 83	Financial Aid
84 through 90	Championships
91 through 95	Recruiting
96 through 117	Eligibility
118 through 127	Playing Seasons
128 through 132	Personnel Limitations

Consent Package—Constitution

Proposals 1 through 10 are offered as a "consent package" of constitutional amendments considered to be noncontroversial or "housekeeping" in nature. Any objection from an active or voting allied member to any item contained in this package will remove that item for a separate vote. The remainder of the package will be acted upon with a single vote, requiring a two-thirds majority approval for adoption.

NO. 1 AMATEURISM

Constitution: Amend Article 3, Section 1-(a), (b), (c) and (d), pages 9-11 as follows:

[All divisions, common vote]

"(a) A student-athlete **An individual** shall not be eligible for participation in an intercollegiate sport if:

[Subparagraphs (1), (2) and (3) and O.I. 2 unchanged.]

"(b) Any student-athlete **individual** who signs or who has ever signed a contract or commitment of any kind to play professional athletics in a sport, [remainder of paragraph unchanged]

[Subparagraphs (1) and (2) unchanged.]

"(c) Any student **individual** who contracts or who has ever contracted orally or in writing to be represented by an agent in the marketing of his athletic ability or reputation in a sport no longer shall be eligible for intercollegiate athletics in that sport. [Remainder of paragraph unchanged.]

"(d) A student-athlete **An individual** may participate as an individual **singly** or as a member of a team against professional athletes; [Remainder of paragraph unchanged.]

[O.I. 3 and O.I. 4 unchanged.]

"O.I. 5. Student-athletes **An individual** may compete on tennis or golf teams with individuals **persons** who are competing for cash or a comparable prize, provided the student **he** does not receive payment of any kind for his participation."

Source: NCAA Council.

Intent: To clarify the application of the existing official interpretation that the provisions of Constitution 3-1-(a), (b), (c) and (d) pertain to actions of an individual at any time, including the period prior to his enrollment in an NCAA member institution.

Effective Date: Immediately.

Action: Nos. 1 through 10 were approved as a constitution consent package.

NO. 2 OUTSIDE BASKETBALL COMPETITION

Constitution: Amend Article 3, Section 9-(c)-(4), page 22, as follows:

[All divisions, common vote]

"(4) The Council shall have the authority to waive this provision by a two-thirds majority of its members present and voting to permit student-athletes to participate in official Pan American tryouts and competition, to participate in officially recognized competition directly qualifying participants for final Olympic tryouts, to participate in the United States against United States national teams or to participate in other international competition approved by the Department of State of the U.S. Government and sanctioned by the Council of the Association. Request for Council sanction must be made by the institution at least 30 days prior to that competition. **involving the national teams of the nations represented.**"

Source: NCAA Council.

Intent: To conform the provisions of this paragraph to current practice and to the language of Constitution 3-9-(d)-(2).

Effective Date: Immediately.

Action: See No. 1.

NO. 3 PARTICIPATION ON NATIONAL TEAMS

A. Constitution: Amend Article 3, Section 9-(c)-(4), page 22, as follows:

[All divisions, common vote]

"(4) The Council shall have the authority to waive this provision by a two-thirds majority of its members present and voting to permit student-athletes to participate in official Pan American tryouts and competition, to participate in officially recognized competition directly qualifying participants for final Olympic tryouts, **to participate in official tryouts and competition involving national teams sponsored by the appropriate Group A member of the U.S. Olympic Committee**, to participate in the United States against United States national teams or to participate in other international competition approved by the Department of State of the U.S. Government and sanctioned by the Council of the Association. Request for Council sanction must be made by the institution at least 30 days prior to that competition."

B. Constitution: Amend Article 3, Section 9-(d)-(2), page 23, as follows:

[All divisions, common vote]

"(2) The Council shall have the authority to waive this provision by a two-thirds majority of its members present and voting to permit student-athletes to participate in official Pan American tryouts and competition, to participate in officially recognized competition directly qualifying participants for final Olympic tryouts, **to participate in official tryouts and competition involving national teams sponsored by the appropriate Group A member of the U.S. Olympic Committee** or to participate in other international competition involving the national teams of the nations represented."

Source: NCAA Council.

Intent: To include waiver provisions in NCAA legislation which are consistent with the provisions of the U.S. Olympic Committee constitution.

Effective Date: Immediately.

Action: See No. 1.

NO. 4 ASSOCIATE MEMBERS

Constitution: Amend Article 4, Section 3-(c), page 27, as follows:

[All divisions, common vote]

"(c) Associate members shall consist of educational institutions not eligible for active membership due to their not being accredited by the appropriate regional accrediting agency or their not meeting the requirements of Constitution 4-2-(e) or not qualifying for membership in any division, duly elected to associate membership under the provisions of the bylaws. Associate mem-

bers shall be entitled to all privileges of active members except the right to compete in meets, tournaments or contests under the auspices of the Association; the right to vote; and the right of their representatives, as such, to hold any elective office in the Association except membership on committees, and the right to be included in the Association's statistics program."

Source: NCAA Council.

Intent: To affirm the existing policy precluding associate members from being listed in the Association's statistical releases.

Effective Date: Immediately.

Action: See No. 1.

NO. 5 ASSOCIATE MEMBERS

Constitution: Amend Article 4, Section 3-(c), page 27, as follows:

[All divisions, common vote]

"(c) Associate members shall consist of educational institutions not eligible for active membership due to their not being accredited by the appropriate regional accrediting agency or their not meeting the requirements of Constitution 4-2-(e) or not qualifying for membership in any division, duly elected to associate membership under the provisions of the bylaws. Associate members are not required to apply the academic or athletic rules of the Association except for the provisions of Articles 2 and 3 of this constitution. They shall be entitled to all privileges of active members except the right to compete in meets, tournaments or contests under the auspices of the Association; the right to vote, and the right of their representatives, as such, to hold any elective office in the Association except membership on committees."

Source: NCAA Council.

Intent: To acknowledge that associate members are not required to operate their athletic programs under the academic or athletic regulations of the NCAA inasmuch as the majority of associate members are so classified because they are not in compliance with certain NCAA requirements, but to stipulate that such members must abide by the provisions of Constitution 2 and 3. [Note: Any associate member seeking active membership is subject to the provisions of Bylaw 8-2-(b).]

Effective Date: Immediately.

Action: See No. 1.

NO. 6 AFFILIATED MEMBERSHIP

Constitution: Amend Article 4, Section 3-(d), page 28, as follows:

[All divisions, common vote]

"(d) Affiliated members shall consist of other groups and associations intimately related to intercollegiate athletics in their functioning and purposes, duly elected under the provisions of the bylaws. Affiliated members shall be entitled to be represented by

one nonvoting delegate at the annual Convention of the Association and shall have such other privileges as may be accorded to affiliated members by the bylaws of the Association, **except any use of the Association's name, seal, logo or other insignia must be approved in advance by the NCAA Council.**"

Source: NCAA Council.

Intent: To assure control of the use of the Association's name and insignia by organizations which are not bound directly by other NCAA regulations.

Effective Date: Immediately.

Action: See No. 1.

NO. 7 TERMINATION OF MEMBERSHIP

Constitution: Amend Article 4, Section 6, page 28, by adding new paragraph (c), relettering subsequent paragraphs, as follows:

[All divisions, common vote]

"(c) The membership of any associate or affiliated member failing to meet the conditions and obligations of membership or failing to support and adhere to the purposes and policies set forth in Article 2 of this constitution may be terminated or suspended or the member otherwise may be disciplined through the following procedure:

"(1) The Committee on Infractions, by majority vote, may recommend such action to the Council, which may adopt the recommendation by a two-thirds vote of its members present and voting.

"(2) The associate or affiliated member shall be advised of the proposed action at least 30 days prior to any Committee on Infractions or Council meeting in which such action is considered and shall be provided the opportunity to appear at any such meeting."

Source: NCAA Council.

Intent: To provide that the membership of an associate or affiliated member may be suspended or terminated by action of the Committee on Infractions and the Council, rather than by the annual Convention. [Note: Constitution 4-6-(b) would be revised editorially to restrict its application to active and allied members.]

Effective Date: Immediately.

Action: See No. 1.

NO. 8 ORGANIZATION

A. Constitution: Amend Article 5, Section 1-(h), page 31, as follows:

[All divisions, common vote]

"(h) The Council may transact such part of its business by correspondence as it may deem advisable. **In addition, in the interim between meetings of the Council, the president, secretary-treasurer and executive director are empowered**

to transact necessary items of Council business, subject to approval of the Council in its next meeting."

B. Constitution: Amend Article 5, Section 2-(d), page 32, as follows:
[All divisions, common vote]

"(d) The Executive Committee may transact such part of its business by correspondence as it may deem advisable. **In addition, in the interim between meetings of the committee, the president, secretary-treasurer and executive director are empowered to transact necessary items of Executive Committee business, subject to approval of the committee in its next meeting.**"

Source: NCAA Council.

Intent: To conform the provisions of these paragraphs to traditional Association practice.

Effective Date: Immediately.

Action: See No. 1.

NO. 9 DIVISION I-AA FOOTBALL CHAMPIONSHIP

A. Constitution: Amend Article 5, Section 7-(e), page 35, as follows:
[All divisions, common vote]

"(e) Before a division may consider establishing a championship for a particular sport in its division, at least 45 members of that division must sponsor the sport as a part of their intercollegiate programs. **If a division subdivides for the administration of a sport, and there are fewer than 45 members of the subdivision, the subdivision must meet this requirement within three years of the date the subdivision was created and it may establish and conduct a championship in the interim.**"

B. Bylaws: Amend Article 4, Section 6, page 70, by adding the following:

[Division I-AA football only]

**"National Collegiate Division I-AA Championship
The National Collegiate Division I-AA Football Championship"**

C. Bylaws: Amend Article 2, Section 2, page 51, as follows:

[Division I-AA football only]

"Section 2. Postseason Football Contests. No member institution shall compete in any football game that is not scheduled as to the identity of a participating collegiate team before the beginning of the regular football season of the college for any academic year, unless the given contest is a part of the NCAA championships for **Division I-AA, Division II or and Division III** members, a part of the National Association of Intercollegiate Athletics football championships or complies with the following requirements or meets the following conditions:

D. Bylaws: Amend Article 3, Section 2-(b)-(2), page 57, as follows:

[Division I-AA football only]

"(2) Football--The beginning of the traditional fall season, exclusive of one scrimmage or contest at the conclusion of spring practice, provided that the game be with a team composed of bona fide alumni or students or both, and exclusive of one postseason game approved by the Association's Extra Events Committee or those games played in the National Collegiate **Division I-AA, Division II and Division III Football Championships** or the National Association of Intercollegiate Athletics football championships."

E. Bylaws: Amend Article 10, Section 6, pages 106-107, by adding new paragraph (e), relettering subsequent paragraphs, as follows:

[Common bylaw, all divisions, divided vote]

"(e) The Division I-AA Football Committee shall consist of four members. One member shall be elected from each Division I-AA region. In the event there are fewer than four regions, the additional member(s) shall be elected at large. The Division I-AA Football Advisory Committees shall be appointed by the Division I-AA Football Committee as prescribed by the Executive Committee."

Source: NCAA Council (Division I-AA Football Committee).

Intent: To establish a Division I-AA Football Championship and a Division I-AA Football Committee to administer that championship; to specify that a new subdivision has three years to meet the 45-member constitutional requirement and may establish a championship during that period.

Effective Date: Immediately.

Action: See No. 1.

NO. 10 AMENDMENTS

A. Constitution: Amend Article 7, Section 5, page 38, as follows:

[All divisions, common vote]

"Section 5. Unless otherwise specified, all amendments shall become effective on the first day of August following adoption by the Convention. **Those specified as being effective immediately shall become effective upon adjournment of the Convention.**"

B. Bylaws: Amend Article 11, Section 5, page 109, as follows:

[Common bylaw, all divisions, divided vote]

"Section 5. Unless otherwise specified, all amendments shall become effective on the first day of August following adoption by the Convention. **Those specified as being effective immediately shall become effective upon adjournment of the Convention.**"

Source: NCAA Council.

Intent: To confirm that legislation with an immediate effective date becomes effective upon adjournment of the Convention.

Effective Date: Immediately.

Action: See No. 1.

Consent Package—Bylaws

Proposals 11 through 29 are offered as a "consent package" of bylaw proposals considered to be noncontroversial or "housekeeping" in nature. Any objection from an active or voting allied member to any item contained in this package will remove that item for a separate vote. The remainder of the package will be acted upon by a single vote, with a majority vote required for approval.

NO. 11 RECRUITING—PUBLICITY

Bylaws: Amend Article 1, Section 3-(a), page 42, by deleting that paragraph and substituting the following:

[Divided bylaw, all divisions, divided vote]

"Section 3. Publicity. (a) Publicity released by an institution about the commitment of a prospective student-athlete to attend the institution shall be limited to announcing the prospective student-athlete's signed acceptance of the institution's written offer of admission as a student and/or written tender of financial assistance to be provided on his enrollment and shall be limited to communications in those media forms normally used by the institution.

"(1) The release of such communications shall be limited to the media outlets normally used by the institution and to the media outlets normally used by the educational institutions currently and formerly attended by the prospective student-athlete.

"(2) Press conferences, receptions, dinners or similar meetings held for the purpose of making such an announcement are expressly prohibited, as is personal contact by institutional staff members with media representatives at the site of any form of acceptance of an offer by the prospective student-athlete. This express prohibition does not preclude the presence of bona fide media representatives who might be otherwise employed on a part-time basis by the institution."

Source: NCAA Council (Recruiting Committee).

Intent: To clarify the provisions of this legislation and to exempt from its prohibition against personal contact by institutional staff members those bona fide news media representatives who are employed by the institution on a part-time basis.

Effective Date: Immediately.

Action: Nos. 11, 14 through 16, 18 and 20 through 29 were approved by all divisions as a bylaws consent package.

NO. 12 WAIVER PROVISIONS

A. Bylaws: Amend Article 1, Section 7-(b), page 45, as follows:

[Division I only]

"(b) Division I—There shall be a limit on the total number of paid visits an institution may provide prospective student-athletes in the following sports during an academic year: Football—95; Basketball—18. The institution must maintain a written record of the paid visits of prospective student-athletes pursuant to this paragraph. **The Council, by a two-thirds majority of its members present and voting, may approve exceptions to this regulation for institutions which have suffered extraordinary personnel losses from one or more of their intercollegiate athletic teams due to accident or illness of a disastrous nature.**"

B. Bylaws: Amend Article 3, Section 1, pages 55-56, by adding new paragraph (e), as follows:

[Divided bylaw, all divisions, divided vote]

"Section 1. Limitations on Preseason Practice. [Paragraphs (a) through (d) unchanged.]

"(e) **The Council, by a two-thirds majority of its members present and voting, may approve exceptions to this regulation for institutions which have suffered extraordinary personnel losses from one or more of their intercollegiate athletic teams due to accident or illness of a disastrous nature.**"

C. Bylaws: Amend Article 5, Section 5, pages 75-77, by adding new paragraph (i), as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(i) **The Council, by a two-thirds majority of its members present and voting, may approve exceptions to the provisions of Bylaw 5-5 for institutions which have suffered extraordinary personnel losses from one or more of their intercollegiate athletic teams due to accident or illness of a disastrous nature.**"

Source: NCAA Council. (Mandated by 1978 Convention.)

Intent: To authorize the Council to grant additional waivers of NCAA regulations for institutions which have suffered extraordinary personnel losses as a result of accidents or illnesses of a disastrous nature.

Effective Date: Immediately.

Action: Approved by appropriate divisions.

NO. 13 POSTSEASON FOOTBALL CONTESTS—TICKETS

Bylaws: Amend Article 2, Section 2-(g), page 52, as follows:

[Divided bylaw, all divisions, divided vote]

"(g) Competing institutions shall be allocated not less than

one-third of the total seats in the stadium in such proportion as they may agree. If they do not agree, a minimum of one-sixth of the total seats in the stadium shall be made available to each institution. An institution not requiring its full allocation of tickets shall make available its unused portion of the allotment to the other institution. **Not later than 10 days after it is selected to participate in the game, the institution must advise the sponsoring person or organization of the number of tickets it wishes to retain. It shall return the remainder of its allocation at that time; however, the institution shall be held responsible only for 80 per cent of the number it retained.** All unsold tickets **beyond 80 per cent** shall be returned to any sponsoring person or organization not less than 15 days in advance of the date of the game."

Source: NCAA Council (Extra Events Committee).

Intent: To assure greater utilization and control of tickets for postseason football games.

Effective Date: Immediately.

Action: Approved by all divisions after being withdrawn from consent package.

NO. 14 COLLEGE ALL-STAR CONTESTS

Bylaws: Amend Article 2, Section 3, pages 53-54, by adding new paragraph (e), as follows:

[Divided bylaw, all divisions, divided vote]

"(e) Application for the inauguration of a contest will be received from a proposing sponsor only at a regular meeting of the Extra Events Committee, and the committee will approve or disapprove the contest at one of its meetings held during the next calendar year."

Source: NCAA Council (Extra Events Committee).

Intent: To apply the same provisions to applications for new college all-star football and basketball contests as are applied to new postseason football games.

Effective Date: Immediately.

Action: See No. 11.

NO. 15 TRANSFER RULES

Bylaws: Amend Article 4, Section 1-(1)-(1), page 66, as follows:

[Divided bylaw, all divisions, divided vote]

"(1) A student shall be considered a transfer from a collegiate institution when its registrar or admissions officer certifies that the student was officially registered and enrolled at said institution on the opening day of classes in any quarter or semester in a minimum full-time academic load, or that the student attended a class or classes in any quarter or semester in which he was enrolled in a minimum full-time academic load, or the athletic director certifies

that the student reported on call for regular uniformed squad practice announced by the institution through any member of its athletic department staff prior to the beginning of any quarter or semester."

Source: NCAA Council.

Intent: To conform this paragraph to the traditional interpretation.

Effective Date: Immediately.

NO. 16 SWIMMING AND DIVING CHAMPIONSHIPS

Bylaws: Amend Article 4, Section 6, pages 70-71, as follows:

[Divided bylaw, all divisions, divided vote]

"The National Collegiate Swimming and Diving Championships"

"The National Collegiate Division II Swimming and Diving Championships"

"The National Collegiate Division III Swimming and Diving Championships"

Source: NCAA Council and NCAA Executive Committee (Swimming Committee).

Intent: To include reference to diving in the names of the three NCAA swimming championships.

Effective Date: Immediately.

Action: See No. 11.

NO. 17 INSTITUTIONAL ELIGIBILITY-TELEVISION

Bylaws: Amend Article 4, Section 6-(c), pages 71-72, as follows:

[Division I only]

"(c) A Division I institution which has not operated in conformity for a period of two years with the requirements of Bylaw 4-6-(b) at the time it certifies conformance with the regulation shall be ineligible for NCAA championships and appearances on the NCAA national football television series any television programs subject to the Association's control or administration until it can show conformity for a period of two years. A Division II or Division III institution petitioning the Classification Committee for Division I institutional membership or eligibility in one sport (in accordance with Bylaws 8-3 and 8-4) must have operated in conformity with the requirements of Bylaw 4-6-(b) for two years preceding the effective date of its Division I membership or be ineligible for Division I championships and the NCAA national football television series any television programs subject to the Association's control or administration until it can show conformity for a period of two years."

Source: NCAA Council (Television Committee).

Intent: To affirm that the provisions of this paragraph apply to all television programs controlled or administered by the Association.

Effective Date: Immediately.

Action: Approved by Division I.

NO. 18 QUALIFYING STATUS

Bylaws: Amend Article 8, Section 4-(b), page 88, by adding new subparagraph (7), as follows:

[Common bylaw, all divisions, divided vote]

"(7) An institution which is granted qualifying status but which fails to conform with the appropriate division criteria within the time specified in subparagraph (1) of this bylaw and thus is reclassified by the Classification Committee must remain in the division to which it is reclassified for a minimum of three years."

Source: NCAA Council (Classification Committee).

Intent: To specify that an institution which is reclassified because it does not meet the appropriate criteria while in qualifying status must remain a member of the division to which it is reclassified for at least three years, consistent with the provisions of Bylaws 8-3-(c) and 8-4-(a).

Effective Date: Immediately.

Action: See No. 11. [Note: Subsequent Convention approval of proposal No. 43 deleted Bylaw 8-4-(b).]

NO. 19 DIVISION I FOOTBALL CONFERENCES

Bylaws: Amend Article 9, Section 1-(g)-(3), page 92, as follows:

[Divided bylaw, Divisions I-A and I-AA football only, divided vote]

"(3) A Division I allied conference whose members are divided between Division I-A Football and Division I-AA Football shall vote in the subdivision in which the majority of its members are classified; or if the membership is divided equally between the two subdivisions, the subdivision in which it shall vote shall be determined by the NCAA Council Classification Committee."

Source: NCAA Council (Classification Committee).

Intent: To conform this provision to that of Bylaw 8-1-(b).

Effective Date: Immediately.

Action: Approved by Divisions I-A and I-AA football.

NO. 20 TOP TEN SELECTION COMMITTEE

Bylaws: Amend Article 10, Section 3, pages 98-101, by adding new paragraph (e), relettering subsequent paragraphs, as follows:

[Common bylaw, all divisions, divided vote]

"(e) The College Athletics Top Ten Selection Committee shall be composed of the presidents of the Football Writers Association of America and the United States Basketball Writers Association, three nationally distinguished citizens and one representative of a member institution. It shall

receive nominations for the College Athletics Top Ten awards and select the recipients of those awards."

Source: NCAA Council.

Intent: To provide that the College Athletics Top Ten Selection Committee is a standing committee.

Effective Date: Immediately.

Action: See No. 11.

NO. 21 LONG RANGE PLANNING COMMITTEE

Bylaws: Amend Article 10, Section 3-(m), page 100, as follows:

[Common bylaw, all divisions, divided vote]

"(m) The Long Range Planning Committee shall consist of 14 12 members, including four at least one representatives from each division, and two undergraduate student-athletes who are varsity letter winners. The committee shall include at least one former president and one former secretary-treasurer of the Association, a college president, a faculty athletic representative, a conference commissioner and a member of the Council. Whenever possible, members of the committee should have appreciable years of experience in the Association. It shall identify and examine trends and problems of intercollegiate athletics, recommend goals and suggest to the Council courses of action which the Association may wish to pursue."

Source: NCAA Council (Long Range Planning Committee).

Intent: To restructure the prescribed membership of the Long Range Planning Committee, to specify that its members should have considerable experience in NCAA activities and to include reference to the recommendation of goals in the committee's charge.

Effective Date: Immediately.

Action: See No. 11.

NO. 22 NYSP COMMITTEE

A. Bylaws: Amend Article 10, Section 3, pages 98-101, by adding new paragraph (n), relettering subsequent paragraphs, as follows:

[Common bylaw, all divisions, divided vote]

"(n) The National Youth Sports Program Committee shall be responsible for administering the National Youth Sports Program. The committee shall consist of six representatives from active or allied members of the Association and an appropriate number of ex officio members representing the Federal government. The NCAA staff member serving as national program director also shall be an ex officio member. Members of the committee may be reappointed without limitation."

B. Bylaws: Amend Article 10, Section 1-(b), page 96, as follows:

[Common bylaw, all divisions, divided vote]

"(b) Members may be reappointed or re-elected for one additional term; and after three years have elapsed, a former member may be appointed or elected to an additional term, following which he may not serve further on that committee. This paragraph shall not apply to the members of the Executive, Governmental Affairs, Promotion, Infractions, Credentials, Memorial Resolutions, **National Youth Sports Program**, Voting and Nominating Committees and to the Committee on Committees."

Source: NCAA Council.

Intent: To provide that the NYSP Committee is a standing committee and to affirm that its members may be reappointed without limitation.

Effective Date: Immediately.

Action: See No. 11.

NO. 23 TELEVISION COMMITTEE

Bylaws: Amend Article 10, Section 3-(u), page 101, as follows:

[Common bylaw, all divisions, divided vote]

"(u) The Television Committee shall consist of eight representatives from Division I, **one two** representatives at large from Division II, **one representative at large from Division I-AA Football and one representative at large from Division III.** *the chairman of the Division II Football Committee and the chairman of the Division III Football Committee.* One Division I representative shall be appointed from each of the eight NCAA districts. **The Divisions I-AA, II and III representatives shall be current or former members of the Division I-AA, II or III football committees.** The committee shall be responsible for the formulation and administration of the Association's football television policy and program, subject to the approval of the membership, and shall report to the Council on other sports television issues and developments which the committee believes should be considered by the membership."

Source: NCAA Council (Television Committee).

Intent: To eliminate the requirement that the chairmen of the Divisions II and III Football Committees automatically serve on the Television Committee, thus providing regular terms and rotation requirements for the representatives of those divisions on that committee; to add a representative of Division I-AA Football on that committee, and to specify that the Divisions I-AA, II and III representatives shall be current or former members of their respective football committees.

Effective Date: Immediately.

Action: See No. 11.

NO. 24 COMMITTEE ON WOMEN'S ATHLETICS

Bylaws: Amend Article 10, Section 3-(w), page 101, as follows:

[Common bylaw, all divisions, divided vote]

"(w) The Committee on Women's Intercollegiate Athletics shall be responsible for studying the development and status of women's intercollegiate athletics, keeping the membership informed of the legal and societal obligations of the NCAA in this area of activity, meeting on behalf of the Association with representatives of other organizations to discuss matters of mutual interest concerning women's intercollegiate athletics and recommending policies and procedures consistent with its findings. The committee shall consist of *nine* **12** persons, with at least one representative from each of the eight NCAA districts and at least *two* **three** representatives from each of the three divisions."

Source: NCAA Council (Division III Steering Committee).

Intent: To expand the membership of the committee from nine to 12, including three from each division and three selected at large.

Effective Date: Immediately.

Action: See No. 11.

NO. 25 COMMITTEE ON COMPETITIVE SAFEGUARDS

Bylaws: Amend Article 10, Section 4-(b), pages 101-102, as follows:

[Common bylaw, all divisions, divided vote]

"(b) The Committee on Competitive Safeguards and Medical Aspects of Sports shall consist of *nine* **10** members.

"(1) The membership of the committee shall represent the fields of athletic administration, active coaching, physical education, physiology, medicine (two members), athletic training and law, with one member elected from the NCAA Football Rules Committee **and one member who shall represent secondary school interests.**"

Source: NCAA Council.

Intent: To expand the membership of the Committee on Competitive Safeguards and Medical Aspects of Sports from nine to 10 by adding a secondary school representative as requested by the National Federation of State High School Associations.

Effective Date: Immediately.

Action: See No. 11.

NO. 26 SOCCER COMMITTEE

Bylaws: Amend Article 10, Section 5-(a)-(4), page 103, as follows:

[Common bylaw, all divisions, divided vote]

"(4) The secretary-rules editor of the Football Rules, Basketball Rules, Track and Field, Swimming, Wrestling, **Soccer** and Baseball Committees may be reelected without restriction."

Source: NCAA Council (Soccer Committee).

Intent: To permit the secretary-rules editor of the Soccer Committee to be reelected without restriction.

Effective Date: Immediately.

Action: See No. 11.

NO. 27 BASKETBALL, ICE HOCKEY COMMITTEES

A. Bylaws: Amend Article 10, Section 5-(c), page 103, as follows:

[Common bylaw, all divisions, divided vote]

“(c) The Basketball Rules Committee shall consist of **14 13** members and shall be constituted as follows:

“(1) At least two representatives from each of the following geographic regions: (i) Districts 1 and 2, (ii) District 3, (iii) Districts 4 and 5 and (iv) Districts 6, 7 and 8;

“(2) Six members shall be from Division I, three members shall be from Division II and three members shall be from Division III; **and**

“(3) One member who shall represent junior college basketball interests. **and**

“(4) *One member who shall represent secondary school basketball interests.*

“(5) **(4)** One of the members shall be elected chairman and one shall be elected secretary-rules editor.”

B. Bylaws: Amend Article 10, Section 5-(g), page 104, as follows:

[Common bylaw, all divisions, divided vote]

“(g) The Ice Hockey Committee shall consist of *seven* **six** members and shall be constituted as follows:

“(1) *At least two* **Two** representatives from each of the following geographic regions representing Division I: (i) the East, comprised of Districts 1 and 2, and (ii) the West, comprised of Districts 4, 5, 7 and 8; **and**

“(2) One member representing Division II and one member representing Division III, both selected alternately from the East and West geographic regions. *and*

“(3) *One member who shall represent secondary school ice hockey interests.*

“(4) **(3)** The chairman may designate a secretary-rules editor from among the membership of the committee.”

Source: NCAA Council.

Intent: To discontinue appointment of secondary school representatives on the Basketball Rules Committee and Ice Hockey Committee inasmuch as the National Federation of State High School Associations now maintains its own rules committees in those sports.

Effective Date: Immediately.

Action: See No. 11.

NO. 28 WRESTLING COMMITTEE

Bylaws: Amend Article 10, Section 5-(n), page 106, as follows:

[Common bylaw, all divisions, divided vote]

“(n) The Wrestling Committee shall consist of 13 members and shall be constituted as follows:

“(1) At least **one representative from District 3 and at least** two representatives from each of the following geographic regions: (i) Districts 1 and 2, (ii) *District 3*, (iii) Districts 4 and 5 and (iv) **(iii)** Districts 6, 7 and 8;”

Source: NCAA Council (Wrestling Committee).

Intent: To realign the membership of the Wrestling Committee to provide more proportionate representation based on the number of institutions sponsoring wrestling in each region.

Effective Date: Immediately.

Action: See No. 11.

NO. 29 BYLAW AMENDMENTS

Bylaws: Amend Article 11, Section 1-(g), page 108, as follows:

[Common bylaw, all divisions, divided vote]

“(g) Only members of Division I which sponsor intercollegiate football classified as Division I-A or Division I-AA may submit legislation applicable to Division I-A or Division I-AA Football, respectively, **in those bylaws which may be amended by a division acting separately.** Such legislation shall be subject to vote only by members classified Division I-A or Division I-AA in football and, if adopted by a subdivision, shall be applicable only to the members of that subdivision.

Source: NCAA Council.

Intent: To affirm that the provisions of this paragraph apply only to the “divided” bylaws.

Effective Date: Immediately.

Action: See No. 11.

General

NO. 30 ANNUAL CONVENTION

Constitution: Amend Article 5, Section 6-(a), page 34, as follows:

[All divisions, common vote]

“Section 6. Meetings. (a) There shall be an annual Convention of this association during the *second week in January* **summer months** or such other time as may be prescribed by the Executive Committee.”

Source: Clemson University; Duke University; Georgia Institute of Technology; North Carolina State University; University of Maryland, College Park; University of North Carolina, Chapel Hill; University of Virginia; Wake Forest University.

Intent: To provide that future NCAA Conventions shall be held during the summer months.

Effective Date: Immediately.

Action: Withdrawn.

NO. 31 RULES COMMITTEES

Bylaws: Amend Article 10, Section 5-(a), pages 102-103, by adding new subparagraph (8), as follows:

[Common bylaw, all divisions, divided vote]

"(8) The above committees shall be responsible to the Council in matters of playing rules to the extent that all rules changes with substantive economic impact shall be subject to approval by the Council and review by the annual Convention."

Source: NCAA Council (Division III Steering Committee).

Intent: To establish a procedure whereby the Council and/or the Convention shall have the opportunity to review playing rules changes that would have economic impact on the membership.

Effective Date: Immediately.

Action: Defeated by all divisions.

NO. 32 DIVISION I BASKETBALL COMMITTEE

Bylaws: Amend Article 10, Section 6-(b), pages 106-107, as follows:

[Common bylaw, all divisions, divided vote]

"(b) The Division I Basketball Committee shall consist of six members nine representatives from Division I, which shall include one member from each of the eight NCAA districts and one selected at large. The Division I Basketball Selection Committees shall be appointed by the Division I Basketball Committee as prescribed by the Executive Committee."

Source: Boston College, Dartmouth College, St. John's University (New York), Temple University, College of William and Mary, U.S. Military Academy.

Intent: To increase the membership of the Division I Basketball Committee from six to nine, including one from each NCAA district and one selected at large.

Effective Date: Immediately.

Action: Approved by all divisions as amended by No. 32-1.

NO. 32-1 DIVISION I BASKETBALL COMMITTEE

Bylaws: Amend Proposal No. 32; Bylaw 10-6-(b), as follows:

[Common bylaw, all divisions, divided vote]

"(b) The Division I Basketball Committee shall consist of nine representatives from Division I, which shall include one member from each of the eight NCAA districts two members from each of the four Division I basketball regions and one selected at large. The Division I Basketball Selection Committee shall be appointed by

the Division I Basketball Committee as prescribed by the Executive Committee."

Source: Big Ten Conference.

Action: Approved by all divisions.

NO. 33 VOTING ON COMMON BYLAWS

Bylaws: Amend Article 11, Section 1-(d), page 108, as follows:

[Common bylaw, all divisions, divided vote]

"(d) Each division of the Association may at any Convention, by a majority vote of the members of such division present and voting, adopt or amend any bylaw not inconsistent with the provisions of the constitution or this section. Bylaws 7, 8, 10 and 11 apply to the three all divisions of the Association; thus any amendment of them must be adopted either by all three divisions or, in the event any division does not have a quorum as prescribed by the constitution, by a majority vote of the delegates present and voting at the Convention. The other bylaw articles and sections may be amended by one or more divisions acting separately, and such legislation shall apply only to the division which adopts it."

Source: NCAA Council (Divisions II and III Steering Committees).

Intent: To permit the Convention as a whole to act on amendments to the "common" bylaws in the event any division does not have a quorum.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 34 VOTING IN ROUND TABLES

Bylaws: Amend Article 11, Section 1-(f), page 108, as follows:

[Common bylaw, all divisions, divided vote]

"(f) All legislation of the Association shall be adopted with the three divisions meeting in joint session at the Convention. However, the members of a division, in a divisional meeting at the Convention, may vote on proposed legislation which pertains exclusively to that division and which is limited to several amendments or amendments to the amendments dealing with a single subject. The results of such voting must be submitted to the membership in joint session at the Convention for final action and are subject to the provisions of paragraph (h) of this section."

Source: NCAA Council (Division I Steering Committee).

Intent: To permit limited voting in divisional round tables at NCAA Conventions under the prescribed conditions.

Effective Date: Immediately.

Action: Defeated by all divisions.

NO. 35 GAMBLING

Recommended Policies: Amend Policy 8, page 130, by adding new Section 6, as follows:

[All divisions, common vote]

"Section 6. No press credentials should be issued to representatives of any organization which regularly publishes, or otherwise promotes the advertising of, 'tout sheets' or 'tip sheets' or other advertising designed to encourage gambling on college sports events."

Source: NCAA Council (Gambling Committee).

Intent: To encourage members to refrain from issuing press credentials to publications which publish, or promote advertising of, "tout sheets" encouraging gambling on college sports events.

Effective Date: Immediately.

Action: Approved.

NO. 36 RESOLUTION: FATALITY INSURANCE

"Whereas, the membership of the NCAA has been greatly affected by rising costs of insurance in all forms; and

"Whereas, these rising costs have greatly affected the ability of member institutions to provide appropriate and adequate coverage for their athletic teams and coaching staffs in the event of fatal injury while representing their institutions in athletic competition;

"Now, Therefore, Be It Resolved, that the NCAA Insurance Committee be directed to prepare, for review by the NCAA Council, a fatality insurance program for all student-athletes, coaching staff members and related, assigned administrative personnel at member institutions which would provide a \$10,000 stipend per individual in the event of fatal injury while performing assigned duties; further, that the cost of this insurance program be funded by assessments upon the NCAA's football and basketball television receipts; finally, that the NCAA Council present the plan to the membership at the 74th NCAA Convention in January 1980."

Source: Ashland College, Butler University, University of Evansville, Franklin College, Georgetown College, Indiana Central University, St. Joseph's College, Valparaiso University.

Action: Approved.

Amateurism

NO. 37 AMATEURISM—FUNDAMENTAL POLICY

A. Constitution: Amend Article 2, Section 2-(a), pages 7-8, as follows:

[All divisions, common vote]

"Section 2. Fundamental Policy. (a) The competitive athletic programs of the colleges are designed to be a vital part of the educational system. A basic purpose of this Association is to

maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body and, by so doing, retain a clear line of demarcation between college athletics and professional sports. **A member institution may receive developmental funds from a national amateur sports administrative organization (such as the Amateur Hockey Association of the United States) which has received funds from a professional sports organization, provided that such funds from the national amateur sports administrative organization are given without any conditions other than that the funds be used for developmental purposes in the particular sport."**

B. Constitution: Amend Article 3, Section 1-(b), pages 9-10, as follows:

[All divisions, common vote]

"(b) Any student-athlete who signs or who has ever signed a contract or commitment of any kind to play professional athletics in a sport, regardless of its legal enforceability or the consideration (if any) received; plays or has ever played on any professional athletic team in a sport, or receives or has ever received, directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional organization in a sport based upon his athletic skill or participation, except as permitted by the governing legislation of this Association, no longer shall be eligible for intercollegiate athletics in that sport. **Funds which have been received from a national amateur sports administrative organization in accordance with Constitution 2-2-(a) may be utilized by an institution in the funding of grants-in-aid without jeopardy to the amateur status of the student-athlete receiving that aid."**

Source: Colorado College; Michigan State University; Michigan Technological University; University of Minnesota, Twin Cities; Ohio State University; University of Wisconsin, Madison.

Intent: To permit member institutions to accept funds from professional sports organizations, provided those funds are made available through a recognized national amateur sports organization with no conditions which would be inconsistent with NCAA legislation; to specify that the use of such funds for athletically related financial aid would not jeopardize the amateur standing of any student-athlete receiving such aid.

Effective Date: Immediately.

Action: Referred to NCAA Council.

NO. 38 STUDENT-ATHLETES' HOUSING

Constitution: Amend Article 3, Section 1-(g)-(5), page 13, as follows:

[All divisions, common vote]

"(5) Special arrangements designed to provide a student-athlete, his relatives or friends with extra benefits not made available to members of the student body in general or their

relatives or other friends. Special arrangements specifically prohibited include, but are not limited to:

"(i) special discounts or payment arrangements on purchases,

"(ii) loans without interest,

"(iii) guarantees of bond,

"(iv) regular or periodic use of an automobile without (or at a reduced) charge,

"(v) transportation to or from the site of a summer job without (or at a reduced) charge,

"(vi) the provision of special services (e.g., laundry, dry cleaning) without (or at a reduced) charge,

"(vii) material benefits connected with on-campus or off-campus student-athletes' housing if such benefits are not available on the same basis to the student body in general. (Included among said benefits are individual television sets, stereo equipment, specialized recreational facilities and room furnishings and appointments of extra quality and quantity.)

"(viii) Further, no athletic staff member or representative of the athletic interests of the institution shall sign or cosign a note with an outside agency to arrange a loan for a student-athlete, whether for his benefit or the benefit of anyone else."

Source: NCAA Council.

Intent: To include special housing equipment and services provided student-athletes among the extra benefits expressly prohibited by Constitution 3-1-(g)-(5). [Note: Recommended Policy 9, page 131, will be deleted if this proposal is adopted.]

Effective Date: August 1, 1979.

Action: Approved.

NO. 39 PROFESSIONAL TRYOUTS

Constitution: Amend Article 3, Section 1-(b)-(2), page 10, as follows:

[All divisions, common vote]

"(2) A student-athlete shall not try out with a professional athletic team in a sport during any part of the academic year (i.e., from the beginning of the fall term through completion of the spring term, including any intervening vacation period) while he is enrolled in a collegiate institution as a regular student in at least a minimum full-time academic load **unless he has exhausted his eligibility in his sport**. He may try out with a professional organization in a sport during the summer or during the academic year while he is not a full-time student, provided he does not receive any form of expenses or other compensation from the professional organization."

Source: Arkansas State University; Lamar University; Louisiana Tech University; McNeese State University; University of Southwestern Louisiana; University of Texas, Arlington.

Intent: To permit a student-athlete who has completed his eligibility in his sport to try out with a professional sports team while still enrolled in a collegiate institution.

Effective Date: Immediately.

Action: Approved.

NO. 40 PERMISSIBLE EXPENSES

Constitution: Amend Article 3, Section 1-(h)-(1), page 13, as follows:

[All divisions, common vote]

"(1) Actual and necessary expenses on intercollegiate athletic trips, reasonable trips (*not to exceed 100 miles*) (**within the state in which the member institution is located or a distance not to exceed 100 miles if outside that state**) to practice sites other than those of the institution, or to transport a team a reasonable distance (not to exceed 100 miles) to an off-campus site for a postseason team award or recognition meeting;"

Source: Montana State University, Boise State University, University of Idaho, Idaho State University, University of Montana, Northern Arizona University, Weber State College.

Intent: To permit a member institution to transport its student-athletes to practice sites anywhere within the state in which the institution is located.

Effective Date: Immediately.

Action: Approved, 334-120 (two-thirds majority required).

NO. 41 TRAVEL UNIFORMS

Constitution: Amend Article 3, Section 1-(h), page 13, by adding new subparagraph (6), as follows:

[All divisions, common vote]

"(6) **An institution may provide travel uniforms to its student-athletes, which shall not exceed slacks and a sport coat or jacket or sweater marked with the institution's name, insignia or initials. During the student-athlete's college career, the travel uniform shall be checked in at the end of the season for that sport. The travel uniform may be given to the student-athlete upon completion of his eligibility.**"

Source: Iowa State University; Kansas State University; Oklahoma State University; University of Colorado; University of Kansas; University of Missouri, Columbia; University of Nebraska, Lincoln; University of Oklahoma.

Intent: To permit a member institution to provide travel uniforms.

Effective Date: Immediately.

Action: Defeated.

NO. 42 AWARDS

Constitution: Amend Case No. 80, page 189, relating to Constitution 3-1-(i)-(1)-(iii), as follows:

[All divisions, common vote]

"Situation: An institution's athletic team is selected as a national champion by a press service, newspaper, magazine or other outside agency or organization.

"Question: Does such designation of a team as a national champion permit the institution to present awards to members of the team in recognition of the 'national championship'?"

"Answer: No, except that in those sports or classification divisions in which the Association does not conduct championships, awards may be presented to members of the team designated as 'national champions' by a national wire service poll or the national coaches' association in that sport. Otherwise, only teams winning an NCAA or NAIA national championship may be presented such awards by the institution."

Source: University of Arizona; Arizona State University; University of California, Berkeley; University of California, Los Angeles; University of Oregon; Oregon State University; University of Southern California; Stanford University; University of Washington; Washington State University.

Intent: To permit member institutions to present national championship awards as specified in those sports or classification divisions in which the NCAA does not sponsor championships.

Effective Date: Immediately.

Action: Approved.

Membership Classification

NO. 43 DETERMINATION OF DIVISIONS

Bylaws: Amend Article 8, Section 1, page 86, by adding new paragraph (f), relettering subsequent paragraph, as follows:

[Common bylaw, all divisions, divided vote]

"(f) If an institution applying for membership, multidivision classification or change of division membership, per Bylaws 8-2, 8-3 or 8-4, does not meet the criteria for its preferred division, it may request a waiver of the criteria from the membership of the preferred division, as follows:

"(1) The institution shall submit its request for a waiver to the Association's executive director, with the request to be received in the national office not later than November 1. The request shall include pertinent information supporting the institution's request. It shall be the institution's responsibility to distribute that information to the chief executive officer, faculty athletic representative and director of athletics at each member institution in the preferred division, as well as

to the executive officer of each allied member of that division, not later than December 1.

"(2) The institution is permitted to appear before the membership of the desired division at the next NCAA Convention under conditions prescribed by the division's steering committee.

"(3) The division will vote to accept or reject the request for a waiver of the division's criteria, with a majority vote of the division members present and voting required.

"(4) If the division votes to admit the institution as a member of that division, such classification shall become effective immediately upon balloting for a new member of the Association, or the September 1 following the Convention for an institution seeking multidivision classification or change of division membership.

"(i) If after three years the institution has not conformed to all adopted criteria of the division, the provisions of Bylaw 8-1-(d) shall become effective.

"(ii) The institution shall be accorded all privileges of membership in the division during this period; however, its eligibility for championships shall be in accordance with the provisions of Bylaw 8-2-(d), 8-3-(d) or 8-4-(c).

"(5) If the division votes to reject the institution's request, the provisions of Bylaw 8-1-(d) shall become effective."

Source: NCAA Council.

Intent: To establish procedures by which an institution which does not meet the criteria of a desired division could request a waiver of those criteria from the membership of the division itself. [Note: The provisions of Bylaw 8-4-(b), pertaining to qualifying status, would be deleted if this proposal were adopted.]

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 44 DETERMINATION OF DIVISIONS

Bylaws: Amend Article 8, Section 1-(c) and (d), Page 86, and add new paragraph (e), as follows:

[Common bylaw, all divisions, divided vote]

"(c) By amendment to Bylaw 9, the members of each division may establish criteria for membership and competition by sport in that division. Each institution, either as a member of that division or as an institution which competes in a sport in that division, shall have three years from the date of adoption of the criteria to conform to the requirements. If after three years an institution has not conformed to the adopted criteria of its division, the Classification Committee shall reassign the institution's membership or its sport to a division for which it qualifies; if either the member or

its sport does not qualify for any division, the institution shall be reclassified as an associate member in accordance with paragraph (e) of this section.

"(d) Each member institution must continue to meet the criteria of its division to remain a member of that division when any grace period expires. If an institution which has qualified for membership in a division fails to remain in compliance with the criteria of that division at the end of any year thereafter, the Classification Committee shall reassign the institution's membership or its sport to a division for which it qualifies; if either the member or its sport does not qualify for any division, the institution shall be reclassified in accordance with paragraph (e) of this section.

"(e) If an institution or its sport does not qualify for membership in any division, the Classification Committee is authorized to place the institution (or its sport) in an 'inactive membership' category for a minimum of one year. The institution shall identify its preferred division and, during the period of 'inactive membership,' shall comply with the criteria of that division to the greatest extent possible. It will be bound by all other applicable rules of the Association, will be permitted to vote only on constitutional issues and will be ineligible for NCAA championships during that period, unless the 'inactive membership' status is in one sport, in which case its loss of voting privileges and eligibility for championships shall apply only to that sport.

"(1) At the conclusion of the minimum one-year period of 'inactive membership,' once an institution complies with the criteria of its preferred division, it automatically shall be granted membership in that division.

"(2) An institution which does not meet the criteria of any division at the end of the 'inactive membership' period prescribed by the Classification Committee shall be reclassified as an associate member."

Source: NCAA Council (Classification Committee).

Intent: To establish an "inactive membership" classification for an institution which does not meet the membership criteria of any NCAA division, rather than automatically reclassifying such an institution as an associate member as now required.

Effective Date: Immediately.

Action: Approved by all divisions as amended by No. 44-1.

NO. 44-1 DETERMINATION OF DIVISIONS

Bylaws: Amend Proposal No. 44; Bylaw 8-1-(e), as follows:

[Common bylaw, all divisions, divided vote]

"(e) If an institution or its sport does not qualify for membership in any division, the Classification Committee is authorized to place the institution (or its sport) in an 'inactive unclassified

membership' category for a minimum of one year. The institution shall identify its preferred division and, during the period of 'inactive unclassified membership,' shall comply with the criteria of that division to the greatest extent possible. It will be bound by all other applicable rules of the Association, will be permitted to vote only on constitutional issues and will be ineligible for NCAA championships during that period, unless the 'inactive unclassified membership' status is in one sport, in which case its loss of voting privileges and eligibility for championships shall apply only to that sport.

"(1) At the conclusion of the minimum one-year period of 'inactive unclassified membership,' once an institution complies with the criteria of its preferred division, it automatically shall be granted membership in that division.

"(2) An institution which does not meet the criteria of any division at the end of the 'inactive unclassified membership' period prescribed by the Classification Committee shall be reclassified as an associate member."

Source: NCAA Council.

Action: Approved by all divisions.

NO. 45 MEMBERSHIP CLASSIFICATION

A. Bylaws: Amend Article 8, Section 3-(c), page 87, as follows:

[Common bylaw, all divisions, divided vote]

"(c) A member, in petitioning under the terms of (a) or (b), shall submit its request to the Association's executive director on a form approved by the NCAA Council, and the form must be received in the NCAA national office not later than June 1. If the Classification Committee determines that the member has met all applicable membership criteria of the division as set forth in Bylaw 9 and has operated in conformity for a period of two years preceding June 1 with all other bylaw requirements of the division as they pertain to the sport in question, the Classification Committee shall declare the applicant eligible to participate in said sport in the division effective the September 1 following submission of the petition or a subsequent September 1 which the applicant selects as its effective date. The institution must continue to be classified in that division for that sport for a minimum of three years. When the institution's reclassification was the direct result of the creation of a new division or subdivision, the Council, by a two-thirds majority of its members present and voting, may grant exceptions to the three-year requirement if it deems that the institution's circumstances warrant such action."

B. Bylaws: Amend Article 8, Section 4-(a), page 88, as follows:

[Common bylaw, all divisions, divided vote]

"(a) The institution shall notify the Association's executive director on a form approved by the NCAA Council, and the form

must be received in the NCAA national office not later than June 1. If the Classification Committee determines that the member has met all applicable membership criteria as set forth in Bylaw 9 of the division to which it intends to transfer and has operated in conformity for a period of two years preceding June 1 with all other bylaw requirements of the division, the member shall be transferred to the new division effective the September 1 following submission of the petition or a subsequent September 1 which the applicant selects as its effective date. The institution must continue to be classified in that division for a minimum of three years. **When the institution's reclassification was the direct result of the creation of a new division or subdivision, the Council, by a two-thirds majority of its members present and voting, may grant exceptions to the three-year requirement if it deems that the institution's circumstances warrant such action."**

Source: NCAA Council.

Intent: To specify that petitions for multidivision classification and change of division membership must be received in the NCAA national office by June 1 and to establish an exception procedure by which an institution which had been reclassified would not be required to remain in its new division for three years if the reclassification had been the direct result of creation of a new NCAA division or subdivision.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 46 MULTIDIVISION CLASSIFICATION

Bylaws: Amend Article 8, Section 3, page 87, by adding new paragraph (c), relettering subsequent paragraphs, as follows:

[Common bylaw, all divisions, divided vote]

"(c) A member of Division II may petition to be classified in Division I-AA in football."

Source: University of Akron, Eastern Illinois University, University of Northern Iowa, Northern Michigan University, Western Illinois University, Youngstown State University.

Intent: To permit a member of Division II to be classified in Division I-AA in football, in addition to the opportunity to be classified in Division I in another sport (other than basketball). [Note: If this proposal were adopted, each current member of Division I-AA in football would be afforded a one-time opportunity to reclassify its institutional membership to Division II.]

Effective Date: Immediately.

Action: Defeated.

NO. 47 APPLICATIONS FOR MEMBERSHIP

Bylaws: Amend Article 8, Section 2-(b), page 87, as follows:

[Common bylaw, all divisions, divided vote]

"(b) In designating its desired membership division, the applicant institution must certify that it has operated in conformity with the membership criteria of Bylaw 9 for the desired division for a period of two years or, in the case of an applicant which has not operated an intercollegiate athletic program for a period of two years prior to application, that it began or will begin to operate in conformity with the membership criteria of Bylaw 9 upon the commencement of its intercollegiate athletic program."

Source: Georgia State University; Jacksonville University; University of New Orleans; University of North Carolina, Charlotte; University of South Alabama; University of South Florida.

Intent: To specify that an institution which has not conducted an intercollegiate athletic program for the two-year period required by this bylaw may be eligible for election to membership in its desired division if it has operated in conformity with the Bylaw 9 criteria of that division since it began its athletic program.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 48 DIVISION I CRITERIA

Bylaws: Amend Article 9, Section 1, pages 90-92, by adding new paragraph (b), relettering subsequent paragraphs, as follows:

[Division I only]

"(b) An institution desiring to be a member of Division I but which does not sponsor intercollegiate football or which has its football program classified in Division II or Division III must sponsor a minimum of eight varsity intercollegiate sports, with such sponsorship based on the provisions of Bylaw 8-4. An institution which was a member of Division I on this basis as of January 10, 1979, shall conform to this criterion no later than January 10, 1982. An institution which applies for Division I membership subsequent to January 10, 1979, must meet this criterion prior to making application."

Source: NCAA Council (Classification Committee, Division I Steering Committee).

Intent: To require sponsorship of at least eight varsity intercollegiate sports as a criterion for membership in Division I by those institutions which do not sponsor football or do not classify their football in that division.

Effective Date: Immediately; subject to the three-year compliance provisions of Bylaw 8-1-(c).

Action: Defeated by Division I.

NO. 49 DIVISION I CRITERIA

Amend Proposal No. 48, Bylaw 9-1-(b), as follows:

[Division I only]

"(b) An institution desiring to be a member of Division I but which does not sponsor intercollegiate football or which has its football program classified in Division II or Division III must sponsor a minimum of ~~eight~~ **six** varsity intercollegiate sports, with such sponsorship based on the provisions of Bylaw 8-4. An institution which was a member of Division I on this basis as of January 10, 1979, shall conform to this criterion no later than January 10, 1982. An institution which applies for Division I membership subsequent to January 10, 1979, must meet this criterion prior to making application."

Source: Georgia State University; Jacksonville University; University of North Carolina, Charlotte; University of New Orleans; University of South Alabama; University of South Florida.

Action: Withdrawn.

NO. 50 DIVISION I CRITERIA

Bylaws: Amend Article 9, Section 1-(b), page 90, as follows:

[Division I only]

"(b) An institution desiring to be a member of Division I shall schedule at least 75 ~~85~~ percent of its basketball games against members of Division I. An institution which was a member of Division I as of *January 9, 1974*, **January 10, 1979, and which was in compliance with the 75 percent scheduling requirement in effect prior to that date and remains in compliance with that requirement**, shall conform to this criterion no later than *January 1, 1979* **January 10, 1982**. An institution which applies for Division I membership subsequent to *January 9, 1974*, **January 10, 1982**, must meet this criterion prior to making application."

Source: NCAA Council (Classification Committee, Division I Steering Committee).

Intent: To increase the Division I basketball scheduling requirement from at least 75 percent to at least 85 percent and to specify that an institution may not schedule less than 75 percent against members of Division I while seeking to conform to the new criterion.

Effective Date: Immediately; subject to the three-year compliance provisions of Bylaw 8-1-(c).

Action: Approved by Division I, 131-123. A subsequent motion to rescind was defeated, 271-147 (two-thirds majority required).

NO. 51 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 9, Section 1-(c), pages 90-91, by deleting subparagraph (2), renumbering subsequent subparagraphs, as follows:

[Division I-A football only]

"(2) The institution must schedule at least 60 percent of its football games against members of Division I-A Football."

Source: Fresno State University; California State University, Fullerton; California State University, Long Beach; University of the Pacific; San Jose State University; Utah State University.

Intent: To eliminate the scheduling requirement as a criterion for membership in Division I-A football. [Note: Bylaw 9-1-(c) would be revised editorially to delete reference to this subparagraph.]

Effective Date: Immediately.

Action: Withdrawn.

NO. 52 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 9, Section 1-(c), pages 90-91, as follows:

[Division I-A football only]

"(c) An institution desiring to be a member of Division I-A Football must meet the requirements of subparagraphs (1) and (2) below and one of the ~~three~~ **two** criteria contained in subparagraphs (3) ~~and~~ (4) ~~and~~ (5). An institution which was a member of Division I as of January 13, 1978, shall conform to these criteria **in subparagraphs (1) and (2)** no later than January 13, 1981, **and to one of the criteria in subparagraphs (3) and (4) no later than January 10, 1982**. An institution which applies for Division I membership subsequent to January 13, 1978, must meet these criteria prior to making application."

[Subparagraphs (1), (2) and (3) unchanged.]

"(4) The stadium utilized regularly for the institution's home games must contain a minimum of 30,000 permanent seats; further, the institution must have averaged 17,000 in paid attendance per home football game at least one year in the immediate past four-year period; *or*.

"(5) The institution must sponsor 12 or more varsity intercollegiate sports, including football and basketball, in Division I.

[Renumber subparagraph (6) as subparagraph (5).]

"(6) An institution which fails to meet the criteria for membership in Division I-A Football and which has complied substantially with such criteria may apply for membership in Division I-A Football. Such application shall be made to the Classification Committee and shall set forth the reasons why (i) the institution does not meet the criteria for Division I-A Football, (ii) the institution believes it has substantially complied with such criteria and (iii) the institution seeks membership in Division I-A Football. If the Classification Committee recommends favorable action on such application, it shall be submitted to the members of Division I-A Football eligible to vote on such application; and approval by two-thirds of all such members shall be required for membership under this section. Only institutions in Division I-A Football which have met the criteria of subparagraphs (1) and (2) and one of the criteria in subparagraphs (3) and (4) shall be eligible to

vote on such application."

Source: University of Arkansas, Fayetteville; University of Georgia; Georgia Institute of Technology; Louisiana State University; University of Missouri, Columbia; North Carolina State University; University of Notre Dame; University of Oklahoma; University of Pittsburgh; Texas A&M University; Brigham Young University; University of New Mexico.

Intent: To eliminate the sponsorship of 12 varsity sports as an optional criterion for membership in Division I-A football; to establish procedures by which members of Division I-A football could vote to approve membership in that subdivision for an institution which can show substantial compliance with the Division I-A criteria.

Effective Date: Immediately.

Action: Defeated by Division I-A football, 64-83. A motion for a roll-call vote was defeated, 57-87.

NO. 53 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 9, Section 1-(c)-(3), page 90, as follows:
[Division I-A football only]

"(3) The institution must have averaged more than 17,000 in paid attendance *per home* for all football games, both home and away, in the immediate past four-year period."

Source: Fresno State University; California State University, Fullerton; California State University, Long Beach; University of the Pacific; San Jose State University; Utah State University.

Intent: To require that the football attendance criterion for membership in Division I-A football shall be based on all football games, home and away, rather than on home games only.

Effective Date: Immediately.

Action: Withdrawn.

NO. 54 DIVISION II CRITERIA

A. Bylaws: Amend Article 9, Section 2, page 92, by adding new paragraph (c), as follows:

[Division II football only]

"(c) An institution desiring to be a member of Division II in the sport of football must schedule at least 50 percent of its games against members of Division II or Division I in that sport.

"(1) An institution may appeal to the NCAA Council for a waiver of this provision on the basis of geographical difficulty in achieving this minimum scheduling requirement. The Council may grant such waivers by a two-thirds majority of its members present and voting.

"(2) An institution which is a member of a conference predominantly composed of institutions which are not members of the NCAA may qualify for a waiver of

this provision if it schedules at least 50 percent of its nonconference games against members of Division II or Division I. The Council may grant such waivers by a two-thirds majority of its members present and voting."

B. Bylaws: Amend Article 9, Section 2, page 92, by adding new paragraph (d), as follows:

[Division II only]

"(d) An institution desiring to be a member of Division II in the sport of basketball must schedule at least 50 percent of its games against members of Division II or Division I in that sport.

"(1) An institution may appeal to the NCAA Council for a waiver of this provision on the basis of geographical difficulty in achieving this minimum scheduling requirement. The Council may grant such waivers by a two-thirds majority of its members present and voting.

"(2) An institution which is a member of a conference predominantly composed of institutions which are not members of the NCAA may qualify for a waiver of this provision if it schedules at least 50 percent of its nonconference games against members of Division II or Division I. The Council may grant such waivers by a two-thirds majority of its members present and voting."

Source: NCAA Council (Division II Steering Committee).

Intent: To establish football and basketball scheduling requirements as criteria for membership in Division II.

Effective Date: Immediately; subject to the three-year compliance provisions of Bylaw 8-1-(c).

Action: Approved by Division II.

NO. 55 DIVISION III CRITERIA

Bylaws: Amend Article 9, Section 3, pages 92-94, by adding new paragraph (b), relettering subsequent paragraphs, as follows:

[Division III only]

"(b) An institution desiring to be a member of Division III must conduct its regular-season competition under eligibility rules at least as stringent as those provisions of Bylaw 4 applicable to members of Division III."

Source: NCAA Council (Division III Steering Committee).

Intent: To require each member institution in Division III to conduct its regular-season competition under eligibility rules as demanding as those of the NCAA.

Effective Date: August 1, 1979.

Action: Approved by Division III.

NO. 56 DIVISION III CRITERIA

Bylaws: Amend Article 9, Section 3, pages 92-94, by adding new paragraph (c), as follows:

[Division III only]

"(c) An institution desiring to be a member of Division III in the sport of basketball must schedule more than 60 percent of its games against members of Division III in that sport.

"(1) An institution may appeal to the NCAA Council for a waiver of this provision on the basis of geographical difficulty in achieving this minimum scheduling requirement. The Council may grant such waivers by a two-thirds majority of its members present and voting.

"(2) In determining whether it meets the requirements of this provision, an institution may classify an institution which is not a member of the NCAA as a Division III opponent if the nonmember awards all financial aid on the basis of the financial need of the recipient as determined under a program approved by the U.S. Office of Education. If the nonmember institution awards aid to student-athletes on any other basis, it may not be classified as a Division III opponent."

Source: NCAA Council (Division III Steering Committee).

Intent: To establish a basketball scheduling requirement as a criterion for membership in Division III.

Effective Date: Immediately; subject to the three-year compliance provisions of Bylaw 8-1-(c).

Action: Withdrawn.

NO. 57 DIVISION III CRITERIA

Bylaws: Amend Article 9, Section 3-(a), pages 92-94, by adding new subparagraph (4), renumbering subsequent subparagraphs, as follows:

[Division III only]

"(4) The composition of the financial aid package offered to a student-athlete must be consistent with the established policy of the institution's financial aid office for all students. Members of the athletic staff shall not be permitted to arrange or modify the package as assembled by the financial aid officer or financial aid committee. No part of an institution's financial aid budget shall be set aside either for particular sports or for athletics in general; nor may an institution establish athletically related quotas of financial aid recipients."

Source: NCAA Council (Division III Steering Committee).

Intent: To insure that the financial aid package awarded to student-athletes in Division III is assembled in the same manner and

proportions as that available to all students showing need at the institution.

Effective Date: Immediately.

Action: Approved by Division III, 84-63.

NO. 57-1 DIVISION III CRITERIA

Bylaws: Amend Proposal No. 57; Bylaw 9-3-(a)-(4), as follows:

[Division III only]

"(4) The composition of the financial aid package offered to a student-athlete must be consistent with the established policy of the institution's financial aid office for all students. Members of the athletic staff shall not be permitted to arrange or modify the package as assembled by the financial aid officer or financial aid committee. No part of an institution's financial aid budget shall be set aside either for particular sports or for athletics in general; nor may an institution establish athletically related quotas of financial aid recipients."

Source: Gettysburg College.

Action: Defeated by Division III.

NO. 57-2 DIVISION III CRITERIA

Bylaws: Amend Proposal No. 57; Bylaw 9-3-(a)-(4), as follows:

[Division III only]

"(4) The composition of the financial aid package offered to a student-athlete must be consistent with the established policy of the institution's financial aid office for all students. Members of the athletic staff shall not be permitted to arrange or modify the package as assembled by the financial aid officer or financial aid committee. No part of an institution's financial aid budget shall be set aside either for particular sports or for athletics in general; except for income on endowment funds designated by the donor for the grant portion of the financial aid package of a student-athlete; nor may an institution establish athletically related quotas of financial aid recipients."

Source: Pomona-Pitzer Colleges.

Action: Defeated by Division III.

NO. 58 DIVISION III CRITERIA

Bylaws: Amend Article 9, Section 3-(a)-(3)-(ii), page 93, as follows:

[Division III only]

"(ii) Awards of circumstance from the college or university, which are automatically available to any and all members of the student body in general who meet certain publicized, objective qualifications and which are awarded solely on bases having no relationship to athletic ability. The institution may establish no quota of such awards for student-athletes, and the awards must be identified in the appropriate institutional publication listing financial aid awards available to all students. Each such award must be reported to and specifically approved by the NCAA Council.

Source: NCAA Council (Division III Steering Committee).

Intent: To define more precisely those institutional awards which may be classified as awards of circumstance.

Effective Date: Immediately.

Action: Approved by Division III.

NO. 59 SPORTS SPONSORSHIP CRITERIA

Bylaws: Amend Article 9, Section 4-(b), pages 94-95, by adding new subparagraph (7), as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(7) The Council, by a two-thirds majority of its members present and voting, may approve a request from a member institution to designate one sport other than those in which the Association sponsors a championship meet or tournament for the purpose of meeting the sports sponsorship criteria in Bylaws 9-1 and 9-2."

Source: Arizona State University; University of California, Berkeley; University of Oregon; Oregon State University; University of Southern California; Stanford University; University of Washington.

Intent: To allow an institution, with Council approval, to include as one of its required number of varsity intercollegiate sports a sport in which the NCAA does not conduct a championship meet or tournament.

Effective Date: Immediately.

Action: Approved by Division I, 136-101; defeated by Division II.

NO. 60 SPORTS SPONSORSHIP CRITERIA

Bylaws: Amend Article 9, Section 4-(b)-(2), page 94, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(2) The institution's team, in individual sports, shall include a minimum number of participants in each contest for it to be counted. The following minimums are applicable: Wrestling 10 7.

Source: Montana State University, Boise State University, University of Idaho, Idaho State University, University of Montana, Northern Arizona University, Weber State College.

Intent: To reduce the required minimum number of participants in wrestling from 10 to 7 for purposes of the sports sponsorship criteria.

Effective Date: Immediately.

Action: Approved by Division I, 121-94; approved by Division II, 62-42.

Enforcement and Compliance

NO. 61 ENFORCEMENT PROCEDURE

Enforcement Procedure: Amend the Official Procedure Governing

the NCAA Enforcement Program, pages 133-146, by deleting the present language and substituting the following:

[All divisions, common vote]

Article One

Philosophy, Goals, Purpose and Spirit

"Section 101 Standards of Conduct.

"The existence of intercollegiate athletics is justified only by the extent to which such activity contributes to the education of students. Thus, individuals employed by or associated with member institutions for the administration, the conduct or the coaching of intercollegiate athletics are, in the final analysis, teachers. Therefore, their responsibility is an affirmative one, and they must do more than avoid improper conduct or questionable acts. Their own conduct should be an example for their students.

"Section 102 Educational Goals.

"This enforcement program is to be conducted as part of the educational process. Its administration, conduct and decisions should be lessons in justice and fairness.

"(1) The goal of this enforcement program is to maintain competitive balance amongst the athletic teams competing under the Association's sanction by assuring that everyone is 'playing by the same rules.'

"(2) This program is to be conducted in such a way as to promote the highest degree of voluntary compliance with Association legislation. Its implementation should be characterized by candor, cooperation, courtesy and respect as the most efficient means to voluntary compliance.

"(a) It is intended to provide a means to correct transgressions and bring institutions which violate Association legislation into compliance with such legislation.

"(b) Punishment, as distinct from correction, under this enforcement program is reserved for intentional or repeat violators; and in such cases, the purpose of punishment shall be to demonstrate that compliance with Association legislation is in the best interests of everyone.

"(c) Action under this enforcement program should be taken in such a way as will to the greatest extent possible preserve the reputations of institutions and individuals that may be affected by such activity.

"Section 103 Policy on Confidentiality.

"Investigations, adjudications and corrective actions resulting from the operation of this program shall remain confidential. This confidentiality is the privilege of individuals and institutions whose conduct comes under the scrutiny of this enforcement program. It is not the privilege of

the Association, its committees or employees. Individuals and institutions enjoying this privilege of confidentiality are free to waive the benefits of it, but in so doing are cautioned that it is their continuing obligation to respect the identical privilege of other institutions and individuals who may be involved.

"Section 104 Cooperative Nature.

"All representatives of educational institutions are expected to cooperate fully with the NCAA enforcement staff, Committee on Infractions, Adjudication Committee and Council in carrying out this enforcement program. The goals of this enforcement program can best be achieved through full disclosure and complete candor by all institutional representatives and employees in regard to any matter pertaining to conduct under scrutiny. Therefore, such disclosure by institutional representatives and employees is required. Likewise, the highest degree of voluntary compliance will be achieved in those instances where institutions and individuals fully comprehend the exact nature of their activity; and therefore, persons performing the duties on behalf of this enforcement program are required to fully and completely explain Association legislation and the facts which indicate that an institution or individual may not be in compliance therewith to the institutions and individuals involved.

Article Two Definitions

"Section 201 Representative of the Athletic Interests.

"Representation of the athletic interests' of a member institution is an individual or organization which promotes the member institution's intercollegiate athletic program with the knowledge of any current member of the member institution's administration, athletic department or coaching staff.

"Section 202 Meetings.

"Meetings' as contained in the enforcement program shall include meetings conducted by telephone conference calls.

Article Three Organization

"Section 301 Two Committees.

"This enforcement program shall be administered by two committees. One committee shall be called the Committee on Infractions, and the other committee shall be called the Adjudication Committee. No person may serve on both of these committees at the same time. It is to be understood that these committees are independent of each other and are to be operated as autonomously as possible.

"These committees and their members shall work with the enforcement staff of the Association as set forth throughout this enforcement program.

"Section 302 Infractions Committee.

"The Council shall designate a Committee on Infractions which shall be composed of 10 members, one of whom shall serve as chairman. The committee shall have the responsibility and authority to carry out the tasks assigned to it by the various provisions of this enforcement program.

"Section 303 Adjudication Committee.

"The Council shall designate an Adjudication Committee which shall be composed of five members, one of whom shall serve as chairman. This committee shall have the responsibility and authority to carry out the tasks assigned to it by the various provisions of this enforcement program.

"Section 304 Enforcement Staff Assignments.

"Part of the enforcement staff shall be assigned to work for the Committee on Infractions and part for the Adjudication Committee. The allocation of the work load of the enforcement staff and the assignment of specific members of that staff to matters pending before the Committee on Infractions and the Adjudication Committee shall be in keeping with the requirements of the enforcement program and the work loads of the two committees. Such allocations and assignments shall be as determined by the assistant executive director for enforcement in consultation with the chairmen of the two committees. No member of the enforcement staff may be assigned to work for both committees at the same time.

Article Four

Conduct of Infractions Investigations

and the Operation of the Committee on Infractions

"Section 401 Infractions Committee Responsibility/Quorum.

"The Committee on Infractions appointed by the Council under the authority of Section 302 shall be responsible for the conduct of investigations carried out under this enforcement program. Six members present and voting shall constitute a quorum for the conduct of committee business. However, it shall be understood that the chairman shall make a special effort to have full committee attendance in the following two instances:

- "(1) When the Committee is attempting to decide, under Section 405, to pursue a formal investigation against a member institution.
- "(2) When the Committee is attempting to decide, under Section 415, to issue a formal charge against a member institution.

"Section 402 Allegations and Complaints.

"All allegations and complaints relative to a member's failure to maintain the academic or athletic standards required for membership or of a member's violation of legislation or regulations of the Association shall be received by the Committee on Infractions to be investigated in

accordance with this enforcement program.

"Section 403 Screening of Allegations.

"The assistant executive director for enforcement shall be initially responsible for assessing the validity of complaints and allegations concerning the conduct of member institutions, their representatives and employees. If the executive director determines the complaint has substance, in that it comes from a credible source, is timely and is supported by some evidence, it shall be immediately referred to the Committee on Infractions.

"Section 404 Supervision by Committee Member/Preliminary Investigation.

"The chairman of the Committee on Infractions shall assign the complaint to a member of the committee who will be responsible for supervising the investigation. The committee member shall be assisted by a member of the enforcement staff who shall be designated the 'principal investigator' of the matter.

- "(1) The principal investigator, under the direct supervision of the committee member, shall conduct a preliminary inquiry to determine whether there is probable cause to warrant a formal investigation.
- "(2) If this preliminary investigation requires contacting anyone outside the member institution, the member institution shall be given written notice that such preliminary investigation is underway. Such a letter shall advise the institution that the preliminary inquiry will entail the use of a field investigator; that the preliminary investigation may lead to a formal investigation and eventually to a hearing before the Adjudication Committee which could result in corrective action being required of the institution, and that the matter is governed by this enforcement program specifically, pointing out the institution's right to legal counsel (as stated in Section 410 of this enforcement program) during all phases of the investigation.

"Section 405 Committee Shall Assess.

"After the supervising committee member determines that there has been an adequate preliminary investigation, the Committee on Infractions shall decide either to pursue a formal investigation or to close the matter. The supervising committee member shall not participate in the vote of the committee. Any decision to pursue a formal investigation shall require the affirmative vote of at least five of the remaining nine members of the committee; any other decision of the committee shall require the affirmative vote of the majority of the committee members present and voting.

"Section 406 No Investigation.

"If the preliminary investigation results in a decision by

the Committee on Infractions that no further investigation is warranted, the member institution shall be notified of the complaint made (if no earlier notice of the complaint was required), the decision by the committee not to initiate a formal investigation of the charge and whether the Committee has any intention to reopen the charges at some time in the future should pertinent evidence become available.

"Section 407 Reprimand.

"If the Committee on Infractions determines that a minor violation has occurred, it may issue a private reprimand to the member institution, with copies to any individuals involved, which states the exact nature of the violation found and cautions that a repetition of the violation can result in a formal charge being issued against the member institution. This section authorizes only private reprimands; if any additional corrective action is deemed appropriate, the matter must be referred to the Adjudication Committee.

"Section 408 Formal Investigation/Notice.

"If the Committee on Infractions determines that a formal investigation is appropriate, immediate written notice of that decision shall be given to the member or members to be investigated. Said written notice shall contain:

- "(1) A specific description of the nature of the charges under investigation including, if possible, citations of the sections of Association legislation the committee believes may be being violated.
- "(2) The names of individuals whose conduct is also the subject of investigation and a request that the member inform these individuals in writing that they are subjects of investigation and may be contacted by an investigator on behalf of the Association. Such individuals also should be informed that they are entitled to the advice of counsel during the course of such investigation.
- "(3) The name of the Committee on Infractions member assigned by the committee to supervise the investigation.
- "(4) The name of the enforcement staff member who has been assigned as principal investigator and who will present the Committee on Infractions' position at any hearing which may take place in regard to the matters under investigation.

"Section 409 Cooperation/Discovery.

"It is understood that the full investigation is to be conducted in keeping with the policies on confidentiality (Section 103) and cooperation (Section 104). The institution shall make available to the principal investigator any and all relevant records of the institution the investigator may request consistent with the institution's statutory and/or

contractual duties in regard to confidentiality owed to students and faculty. Further, the institution shall make available, consistent with said individuals' educational responsibilities, to the principal investigator such individuals working for or enrolled at the institution as the supervising committee member shall inform the institution need to be interrogated in order to complete the investigation. Further, the institution shall make space available on its campus for the principal investigator's work. The institution should take great care in fulfilling its obligations of cooperation that it not breach its duty of confidentiality. Whenever possible, the institution should obtain permission from individuals to release information pertaining to them.

"Section 410 Cooperation/Discovery, Infractions Committee.

"The Committee on Infractions, its members, the principal investigator and the employees of the Association are similarly bound to cooperation and confidentiality. The principal investigator is responsible for reporting periodically to the member institution on the progress of the investigation. In fulfilling this responsibility, the principal investigator shall make as complete and full a disclosure of what his work has uncovered as is consistent with the policy on confidentiality. The cooperative nature of this enforcement program and its educational goals require that effort be made to discover and develop evidence of innocence as well as violation. Further, the spirit of this enforcement program makes deceptive and devious investigation techniques unnecessary and inappropriate; and therefore such practices are specifically prohibited.

"Section 411 Institution Right to Counsel.

"A member institution has the right to advice of legal counsel during any investigation. This right to counsel includes the right to review all documentary evidence required to be submitted by the institution; the right to be present during any investigatory interviews of employees and students of the institution, unless the student or employee specifically requests that the institution's counsel be excluded from the interview, and the right to be present during any investigatory interviews of persons alleged to be 'representatives of the athletic interests of the institution,' unless such person specifically requests that the institution's counsel be excluded from the interview.

"Section 412 Individual Independent Right to Counsel.

"Institutional employees, representatives of an institution's athletic interests and student-athletes who may be affected by investigations by the Committee on Infractions and corrective action ordered by the Adjudication Committee also shall have the right to counsel during investigation. This right to counsel includes the right to have counsel present during any and all meetings with members of the Committee on Infractions or the principal investigator and

the right to be represented by counsel in dealings with the Committee on Infractions and the Adjudication Committee.

"Section 413 Immunity.

"The Committee on Infractions may grant immunity to student-athletes providing information in infractions cases in instances where such individuals otherwise might be declared ineligible for intercollegiate competition based on the information they report. The student-athlete who provides such information in good faith and in the spirit of sportsmanship shall be granted immunity from ineligibility for any violation of Association legislation which can be charged against him as a result of the information he discloses.

"(1) Once a student-athlete gives information under a grant of immunity from the committee, that student-athlete may suffer athletic ineligibility only for violations of Association legislation about which he did not give information.

"(2) A student-athlete who accepts such a grant of immunity from ineligibility from the committee shall be informed that he is now considered to come within the policy of cooperation and is expected to give full, complete and truthful information to the committee. If a student-athlete intentionally provides untruthful information under such a grant of immunity, the committee is authorized to seek separate and distinct sanctions against the student-athlete and shall so inform the student-athlete at the time the immunity is granted.

"Section 414 Interview of Witnesses.

"The principle of confidentiality prevents the principal investigator, the witness or any other observer of the interview from making a record of such interview through the use of a court reporter, scribes or any mechanical device. However, it shall be permissible for all individuals involved in such interviews to make handwritten notes of the proceedings. The principal investigator shall encourage witnesses or their representatives to make such handwritten notes.

"The principal investigator shall make such notes and shall make a written memorandum of the interview for the Committee on Infractions' file on the investigation. A copy of the memorandum prepared for the committee's file shall be provided the witness within 10 days after it is written. The witness shall be given the right to correct the accuracy of the statements attributed to him.

"Section 415 Formal Investigation Conclusion.

"At such time as the supervising committee member and principal investigator determine is appropriate, but no later than one year from the date the formal investigation was initiated by the committee, they shall present the results of

the formal investigation to the Committee on Infractions. The supervising committee member should participate in the meeting of the committee during which the case is discussed but specifically is disqualified from voting on matters pertaining to the case.

"The Committee on Infractions may determine to:

"(a) Close the case. In such instance, every person who received notice that an investigation was in progress must receive notice that the case is closed and no charges against a member have resulted from the investigation.

"(b) To continue the case for further investigation to determine specific questions of fact the committee deems necessary to resolve before formal charges can issue. If an investigation is continued under this section, a decision to close the case or issue formal charges must be made by the committee at its next meeting at which such decisions are made.

"(c) Issue a formal charge against the member institution.

"Section 416 Vote Necessary for Formal Charge.

"For a formal charge to be issued against a member institution, an affirmative vote of five of the members of the Committee on Infractions (the supervising committee member shall not participate in the count in such vote) shall be necessary.

"Section 417 Setting of Hearing.

"After the Committee on Infractions has voted to issue a formal charge against the member institution, the chairman of the committee shall consult with the chairman of the Adjudication Committee in order to obtain a date and site for the Adjudication Committee's hearing on the matter.

"Section 418 Notice of Hearing.

"After the date and site for such hearings are determined, written notice of the charges prepared by the Committee on Infractions and the date and site of the hearing shall be given to the institution and each individual charged with conduct which may be found violative of Association legislation. This notice shall set forth the policy on confidentiality and describe the extent to which matters covered by the formal charges already have been made public. The requirements for this written notice are:

"(1) It be received by those named no later than 120 days prior to the date set for the hearing.

"(2) It state each specific section of Association legislation the Committee on Infractions believes the institution and each individual named in the formal charges have violated.

"(3) It contain a summary of all evidence (including names of witnesses which can be revealed consistent with the policies on confidentiality) the Committee on Infractions has gathered, along with the

committee's interpretation of the facts and Association legislation. That is, a statement by the committee setting forth the specific Association legislation each fact is alleged to violate and setting forth the reasons the committee believes such conduct is thought to violate said legislation.

"(4) It contain a list of persons the Committee on Infractions believes should be present at the hearing. Persons on this list who are employed by member institutions violate the cooperation spirit of the enforcement program if they fail to attend.

"(5) It contain a list of individuals whose conduct forms the basis of the member institution's alleged violation and who, therefore, the Committee on Infractions believes should be permitted to attend the hearing, if they so desire.

"Section 419 Enforcement Staff Assistance.

"A member of the enforcement staff, other than the principal investigator, shall be assigned to assist the institution in preparation of its written response, should the institution so desire. It is understood that the cooperative nature of this enforcement program shall require the Committee on Infractions and enforcement staff to make as full a disclosure of the evidence contained in the committee's investigatory file or files as is possible consistent with the policy of confidentiality.

"Section 420 Member Institution's Written Response.

"A member institution formally charged by the Committee on Infractions must file a written response to that formal charge with the Adjudication Committee no later than 60 days prior to the date set for the hearing. One copy of the member's written response shall be sent to each member of the Adjudication Committee, and one copy shall be sent to the principal investigator.

"Section 421 Default Adjudication.

"If a member institution fails to file a timely written response to a formal charge, the Adjudication Committee shall have the discretion to cancel the hearings and invoke corrective action based on the formal charges as drafted by the Committee on Infractions.

"Section 422 Institution's Written Response, Contents.

"The institution's written response shall contain the following:

"(1) Any admissions of fact the member institution is willing to make.

"(2) Denials of fact.

"(3) Excuses, justifications and any affirmative defenses the member institution wishes to present.

"(4) Any facts in mitigation.

"(5) Corrective actions already taken. If any such corrective action taken involved an individual, then the institution's written response must contain

either of the following:

"(a) a description of the hearing granted that individual, including its results; or

"(b) a written waiver of such a hearing signed by the individual involved.

"(6) A list of persons who will attend the hearing on behalf of the institution.

"(7) Violations of Association legislation known to it which were not contained in the Committee on Infractions' formal charge.

Article Five

Negotiated Corrective Action

"Section 501 Authority.

"In its discretion, the Adjudication Committee, through its chairman, shall have the authority to negotiate corrective action with member institutions and with individuals whose conduct is alleged to constitute a violation of Association legislation.

"Section 502

"Within 15 days after receiving a written response to formal charges from a member institution, the Adjudication Committee may indicate in writing to the member institution what corrective action the committee believes necessary to bring the member institution into compliance with the Association legislation. In determining what corrective action it believes will be necessary, the Adjudication Committee may rely only on the written formal charges by the Committee on Infractions and the written response from the member institution.

"Section 503

"If within 10 days of receiving the Adjudication Committee's proposed corrective action, the member institution agrees to the proposed corrective action, the hearing scheduled by the Adjudication Committee to resolve the issues raised by the formal charges will be canceled. The Adjudication Committee then shall draft a statement of the corrective action agreed to be taken, and that statement of corrective action shall be signed by the committee and the institution.

"If a member institution agrees to a proposed corrective action and subsequently recants that agreement, a hearing before the Adjudication Committee to resolve the violations of Association legislation as stated in the formal charge by the Committee on Infractions shall be scheduled to take place at the earliest possible date. At such a hearing, the Adjudication Committee shall have the discretion to impose an additional corrective action or a penalty for abuse of this procedure.

"Section 504

"If a negotiated corrective action between the Adjudication Committee and a member institution will require

corrective action which affects individuals employed by the member institution, enrolled at the member institution or who are representatives of the athletic interests of the institution, the negotiated corrective action shall not be effective unless:

"(1) The individuals affected by the negotiated corrective action consent to it and indicate their consent by signing it; or

"(2) The member institution grants the affected individual an opportunity to be heard in regard to the conduct on the part of the individual which comprises the alleged violation of Association legislation and determines at that hearing that the individual actually engaged in that conduct. In situations where the member institution conducts a hearing under this section, a report of that hearing stating its time, place, the individuals in attendance, the hearing officer and the decision shall be submitted to the Adjudication Committee along with the negotiated corrective action statement signed by the institution.

"(3) In situations under this section, where the consent of or a hearing for an individual affected by negotiated corrective action is called for and said individual refuses to consent to the negotiated corrective action and refuses to participate in any hearing regarding his conduct, the Adjudication Committee shall have the discretion to:

"(a) Enter into the negotiated corrective action agreement with the member institution and any other individuals complying with the procedures; or

"(b) Withdraw from the proposed negotiated corrective action and reschedule the hearing by the Adjudication Committee to resolve the charges against the member institution contained in the formal charges; or

"(c) Enter into the negotiated corrective action with the member institution and individuals complying with the above procedures, but reschedule a hearing of the Adjudication Committee to permit the individual contesting the negotiated corrective action to appear before the Adjudication Committee in regard to the alleged conduct on his part which is alleged to constitute a violation of Association legislation.

"Section 505 Effective Date.

"A negotiated corrective action shall become effective when signed by the Adjudication Committee, the member institution and all individuals affected by it, but no later than the date of the hearing which was canceled.

Article Six
Adjudication Committee

"Section 601 Adjudication Committee Responsibility/
Quorum.

"The Adjudication Committee appointed by the Council under the authority of Section 303 shall be responsible for conducting hearings and determining corrective action, where appropriate, on formal charges of violations of Association legislation issued by the Committee on Infractions. The committee shall be composed of five members, one of whom shall serve as chairman. Three members present and voting shall constitute a quorum for conduct of committee business, it being understood that the chairman shall make a special effort to have full committee attendance during hearings of formal charges against member institutions. The committee shall have the authority to make rules of procedure for the conduct of its business, provided such rules of procedure comply with the provisions of this enforcement program.

"Section 602 Transcript.

"All hearings before the Adjudication Committee are to be recorded by a court reporter. The committee shall keep, as part of its record of the case, the original transcript of the hearing as prepared by the court reporter. The committee shall furnish, at Association expense, one copy of the transcript of the hearing to the member institution. Individuals whose conduct formed a part of the violations alleged against the member institution and who participated in the hearings shall be entitled to review the transcript. Individuals employed by or enrolled at the institution are to have access to the institution's copy of the transcript. Representatives of the athletic interests of the member institution who are not employed by the institution shall be permitted to purchase, at cost, from the Association those pages of the transcript of the hearing wherein their conduct was discussed.

"Section 603 Attendance at Hearings.

"All individuals employed by the member institution who are requested to attend the hearings by the Committee on Infractions and/or the Adjudication Committee are required to be present at the hearing. The chief executive officer (or someone selected by him to represent his office), the faculty athletic representative and the director of athletics of the member institution may attend the hearing even if not requested to do so by the Committee on Infractions or the Adjudication Committee. The member institution also may be represented at the hearing by legal counsel authorized in writing by the chief executive officer of the member institution prior to the commencement of the hearing.

"Section 604 Individuals at Hearings.

"Individuals cited by the Committee on Infractions' formal charges as involved in conduct constituting a part of

the member institution's alleged violations have the right to appear at the hearing before the Adjudication Committee. Such individuals also shall have the right to be represented by legal counsel at the hearing. However, the right of such individuals to attend the hearing and be represented at the hearing by counsel is limited to those portions of the hearing where the individual's conduct is discussed.

"Section 605 The Hearing.

"The chairman of the Adjudication Committee shall preside at the hearing. The hearing shall proceed as follows:

- "(1) The chairman shall call the hearing to order and introduce the members of the Adjudication Committee.
- "(2) The chairman shall ask the representatives of the Committee on Infractions to introduce themselves.
- "(3) The chairman shall ask the representatives of the member institution to introduce themselves.
- "(4) The chairman shall ask any other individuals in attendance to introduce themselves.
 - "(a) The chairman then shall ascertain if such individuals have a right to be present. If the chairman determines they have no such right, they shall be asked to leave; and the hearings cannot proceed until they do so.
 - "(b) If the chairman determines that such individuals are entitled to attend the hearings or any portion thereof, he shall state and explain that such individuals and their counsel will be permitted to attend only those portions of the hearings wherein those individuals' personal conduct is discussed; and they will be asked to leave during any other portions of the hearing.
- "(5) The chairman then shall cite these rules dealing with the conduct of hearings before the Adjudications Committee and ask if there are any questions concerning the procedures. The chairman shall resolve any such questions before proceeding with the hearing.
- "(6) The representatives of the Committee on Infractions shall present a brief summary of the alleged violations contained in the formal charges.
- "(7) The person responsible for presenting the position of the member institution then shall make a brief statement of the member institution's position.
- "(8) The representatives of individuals charged with conduct constituting a portion of the institution's violations may make a statement summarizing the position of such individuals.
- "(9) The efficient operation of the Adjudication Committee and this enforcement program is based on the cooperative nature of the enforcement pro-

gram. One facet of cooperation is to stipulate to the greatest extent possible to an agreed statement of facts. Therefore, the chairman shall state for the record all the facts the committee believes are not in dispute. Each party attending the hearing shall be given the opportunity to participate in the stipulations of facts as they pertain to them. To the extent all the required parties agree that any particular fact is not in dispute, it shall be taken as proved.

"(10) The representatives of the Committee on Infractions shall present, in the forms set forth in Sections 606 and 607, the committee's evidence on the facts in dispute.

"(11) The representatives of the member institution shall present, in the forms set forth in Sections 606 and 608, the institution's evidence on the facts in dispute. The member institution also may include, as part of its case in chief, facts in mitigation of the conduct it was charged with in the formal charges issued by the Committee on Infractions.

"(12) Individuals cited in the formal charges as engaging in conduct which formed the basis of charges against the member institution shall present, in the forms set forth in Sections 606 and 609, evidence pertaining to their conduct on the facts of their conduct which are in dispute. Such individuals also may present, as part of their case in chief, evidence of mitigating circumstances pertaining to their conduct.

"(13) After all the parties entitled to present evidence on facts in dispute conclude presenting such evidence, each then may present, in turn, additional evidence which seeks to rebut any evidence presented by any other party to the hearing.

"(14) Each party presenting evidence at the hearing shall be given an opportunity to make closing argument.

"(15) The chairman then shall ask everybody, including the court reporter, to leave the hearing room. The Adjudication Committee shall deliberate in private to reach its decision.

"Section 606 Documentary Evidence.

"All parties entitled to present evidence at an Adjudication Committee hearing may present documentary evidence. To the extent possible, all documentary evidence should be submitted prior to the commencement of the hearing. All documentary evidence shall become part of the committee's record of the hearing.

"Section 607 Testimonial Evidence/Infractions Committee.

"The Committee on Infractions may present testimonial

evidence as follows:

"(1) Individuals may volunteer to describe events constituting alleged violations of Association regulations.

"(a) Such witnesses first must waive any right they may have to confidentiality and anonymity.

"(b) Such witnesses shall testify only as to those facts of which they have personal knowledge. Their testimony shall take a narrative form as directed by the questioning by the principal investigator.

"(c) Such testimony shall be under oath and subject to cross-examination.

"(2) Signed affidavits from persons unable to attend the hearing pertaining to facts of the alleged violations. The affidavit must contain a statement waiving any right the affiant may have to confidentiality and anonymity. It also must contain an explanation of the affiant's inability to attend the hearing, and the committee first shall satisfy itself that the inability is real before admitting the affidavit in evidence. The committee may consider the affiant's nonattendance in assessing the credibility of the evidence.

"(3) Anonymous affidavits pertaining to facts of the alleged violations, corroborated by documentary evidence or at least one nonanonymous witness. Such anonymous affidavits must contain a statement justifying the claim to anonymity.

"(a) Such anonymous affidavits must be accompanied by an affidavit of the principal investigator for the Committee on Infractions which states:

"(i) That the anonymous affiant is known to the principal investigator.

"(ii) That the principal investigator has interviewed the anonymous affiant.

"(iii) That the principal investigator believes the anonymous affiant's claim to anonymity is justified.

"(iv) An assessment by the principal investigator of the anonymous affiant's credibility, along with a statement of the criteria used by the principal investigator to assess that credibility.

"(b) It is noted that the use of anonymous affidavits is an unusual, albeit necessary, and dangerous form of evidence. Therefore, great caution is necessary in its use. If it should turn out that testimony submitted in an anonymous affidavit is false, that falsity shall be grounds to discharge the principal investigator from

the employ of the Association.

- "(c) The committee also may consider the anonymity and nonattendance of such witnesses in assessing the credibility of their testimony.

"Section 608 Testimonial Evidence/Member Institution.

"The member institution may present testimonial evidence as follows:

- "(1) Individuals may volunteer to describe events constituting alleged violations of Association regulations.

- "(a) Such witnesses first must waive any right they may have to confidentiality and anonymity.

- "(b) Such witnesses shall testify only as to those facts of which they have personal knowledge. Their testimony shall take a narrative form as directed by the questioning by the person designated to coordinate the institution's presentation.

- "(c) Such testimony shall be under oath and subject to cross-examination.

- "(2) Signed affidavits from persons unable to attend the hearing pertaining to facts of the alleged violations. The affidavit must contain a statement waiving any right the affiant may have to confidentiality and anonymity. It also must contain an explanation of the affiant's inability to attend the hearing, and the committee first shall satisfy itself that the inability is real before admitting the affidavit in evidence. The committee may consider the affiant's nonattendance in assessing the credibility of the evidence.

- "(3) Anonymous affidavits pertaining to facts of the alleged violations, corroborated by documentary evidence or at least one nonanonymous witness. Such anonymous affidavits must contain a statement justifying the claim to anonymity.

- "(a) Such anonymous affidavits must be accompanied by an affidavit of the faculty representative for the Committee on Infractions which states:

- "(i) That the anonymous affiant is known to the faculty representative.

- "(ii) That the faculty representative has interviewed the anonymous affiant.

- "(iii) That the faculty representative believes the anonymous affiant's claim to anonymity is justified.

- "(iv) An assessment by the faculty representative of the anonymous affiant's credibility, along with a statement of the criteria used by the faculty representative to assess that credibility.

- "(b) It is noted that the use of anonymous affidavits is an unusual, albeit necessary, and dangerous form of evidence. Therefore, great caution is necessary in its use. If it should turn out that testimony submitted in an anonymous affidavit is false, that falsity shall be grounds to bar the faculty representative from participating in any activities of the Association.

- "(c) The committee also may consider the anonymity and nonattendance of such witnesses in assessing the credibility of their testimony.

"Section 609 Testimonial Evidence/Individuals.

"Individuals cited for conduct which forms the basis of violations by the member institution may testify in their own behalf. Their testimony during the hearing shall constitute a waiver of their right to confidentiality. They shall swear or affirm that their testimony is truthful and shall be subject to cross-examination by the other parties appearing at the hearing.

- "(1) Such individuals also may submit signed affidavits from others which corroborate the testimony they have given at the hearing. The affidavit must contain a statement waiving any right the affiant may have to confidentiality and anonymity. It also must contain an explanation of the affiant's inability to attend the hearing, and the committee first shall satisfy itself that the inability is real before admitting the affidavit in evidence. The committee is free to consider the affiant's nonattendance in assessing the credibility of the evidence.

- "(2) Such individuals also may submit, at least 10 days prior to the date of the hearing, a list of persons willing to attend the hearing to corroborate the testimony given by the individual.

- "(a) The Adjudication Committee shall have the discretion of calling persons on such list to testify at the hearing at the expense of the Association.

- "(b) If such persons are called by the Adjudication Committee, the direct examination of them shall be by the party who submitted their name.

- "(c) Such witnesses shall be subject to cross-examination by the representatives of the Committee on Infractions, member institution and any other individual affected by the facts testified to by the witness.

"Section 610 Closing Argument.

"Each party appearing at the hearing shall have the right to review the evidence, comment on it and advocate what corrective action, if any, it believes the Adjudication Committee should order.

"Section 611 Deliberations.

"The Adjudication Committee shall deliberate in private. During its deliberations, it shall make specific findings as to any facts in dispute. Such findings shall be conclusive if there is any evidence in the record to support them.

"Section 612 No Violation.

"If the Adjudication Committee determines that there has been no violation as alleged by the formal charges issued by the Committee on Infractions, it shall notify each party appearing at the hearing of this 'no violation' finding. A 'no violation' finding by the Adjudication Committee is conclusive, and the facts which formed the basis of the allegations contained in the formal charges issued by the Committee on Infractions may not form the basis of another formal charge.

"Section 613 Finding A Violation, Corrective Action.

"The finding of a violation shall be by majority vote of the members of the Adjudication Committee present and voting at the hearing. The order of a corrective action shall require the affirmative vote of at least three members of the committee.

"Section 614 Possible Corrective Actions.

"The Adjudication Committee may select from among the following corrective actions the corrective action or actions it believes will best bring the member institution into full compliance with Association legislation. Additionally, the Adjudication Committee may order corrective action not included on this list in situations where it determines that the corrective actions herein listed are not sufficient. Corrective actions which may be considered by the Committee are:

"(1) Reprimand and censure;

"(2) Probation for one or more years;

"(3) Ineligibility for one or more national collegiate championship events;

"(4) Ineligibility for invitational and postseason meets and tournaments;

"(5) Ineligibility for any television programs subject to the Association's control or administration;

"(a) The committee is advised that the Association itself benefits from television programs. Therefore, if in the committee's judgment it seems appropriate, an institution may be barred from receiving the television fee normally awarded an institution which appears on a television broadcast but not barred from the appearance itself.

"(b) In such cases, the appearance fee which would have been awarded the barred institution shall be added to the funds used for the post-graduate scholarship and enforcement programs of the Association.

"(6) Ineligibility of the member to vote or its personnel

to serve on committees of the Association, or both;

"(7) Prohibition against an intercollegiate sport team or teams participating against outside competition for a specified period;

"(8) Prohibition against the recruitment of prospective student-athletes for a sport or sports for a specified period;

"(9) A reduction in the number of either initial or total financial aid awards (as defined by O.I. 500) which may be awarded during a specified period;

"(10) A requirement that an institution which has been represented in an NCAA championship by a student-athlete who was recruited or received improper benefits (which would not necessarily render him ineligible) in violation of NCAA legislation shall return its share of net receipts from such competition in excess of the regular expense reimbursement; or if said funds have not been distributed, they shall be withheld by the NCAA executive director if it is found that an institution knew or should have known that the student-athlete had received improper benefits;

"(11) An order that individual or team records and performances shall be vacated or stricken, or individual or team awards shall be returned to the Association, in cases where it is found that a member institution knew or should have known that it was represented in an NCAA championship by a student-athlete who was recruited or received improper benefits.

"(12) A requirement that a member institution which has been found in violation take appropriate corrective action against athletic department personnel who were involved in the violations of Association legislation or against any other institutional employee involved in the violations, or against representatives of the institution's athletic interests, or against student-athletes whose conduct formed the basis of the institution's violations.

"(a) 'Appropriate corrective action' that may be required under paragraph 12 above may include, for example, termination of the coaching contract of the head coach and any assistants involved; suspension or termination of the employment status of any other institutional employee who may be involved; severance of relations with any representative of the institution's athletic interests who may be involved; the debarment of any representative of the institution's athletic interests from the purchase of tickets for any intercollegiate athletic event participated in by the institu-

tion; the debarment of the head or assistant coach from any coaching, recruiting or speaking engagements for a specified period of time, and the prohibition of all recruiting in a specified sport for a specified period. The Adjudication Committee shall indicate, in the corrective action section of its final report, what it believes to be the appropriate corrective action that the institution shall impose on the named individuals.

"(b) In all cases where the adjudication requires the institution to take corrective action against an individual, the institution further is required, before taking that corrective action against the individual, to grant to that individual a hearing consistent with the institution's campus policies in regard to campus discipline.

"(i) If that individual availed himself of the opportunity to appear at the Adjudication Committee hearing wherein that individual's conduct was discussed, the hearing requirement of this section shall be considered fulfilled.

"(ii) If an appropriate campus hearing is held to fulfill the requirement of this section, and facts not presented to the Adjudication Committee are uncovered and these new facts might alter the Adjudication Committee's requirement of corrective action as to the individual involved, the member institution may petition the Adjudication Committee for withdrawal of the requirement.

"Section 615 Principles Guiding Corrective Action.

"The following principles shall guide the Adjudication Committee in its selection of the appropriate corrective action required to bring a member institution into full compliance with Association legislation:

"(1) Fairness; similar cases should be accorded similar corrective treatment.

"(2) Justice; the committee should attempt to correct only the wrongs actually found. Sins of coaches, assistant coaches, recruiters and athletic administrators ought not be visited on student-athletes. Specifically, student-athletes ought not be required to suffer periods of athletic ineligibility unless they personally engaged in affirmative conduct violating Association legislation.

"(3) The committee should seek to eliminate competitive advantages obtained through violations of Association legislation. For example, where an

institution has awarded excessive grants-in-aid, the appropriate corrective action is to reduce the number of grants-in-aid the member institution may award in subsequent years and also require the institution to renew every grant-in-aid awarded during the year in which excessive awards were made; in a case where an assistant coach participated in falsifying the academic records of a recruited athlete and the athlete entered school and achieved such grades as would maintain his academic eligibility for athletic competition, the appropriate corrective action is to require the member institution to take action against the guilty coach and any university employees aware of what took place, but not to impose any period of ineligibility on the recruited student-athlete; in a situation where the student-athlete has borrowed money or taken cash advances from a 'sports agent,' the appropriate corrective action is to declare the student-athlete ineligible for NCAA competition because he has professionalized himself.

"(4) To whatever extent possible, corrective action should be directed against the member institution, athletic department personnel, other university employees and representatives of the athletic interests of the member institution rather than against student-athletes. This is because corrective action is most effective when it is directed against persons in positions of responsibility and authority. However, no corrective action may be imposed on any individual not given an appropriate opportunity to present his side of the controversy. Responsible educators ought not be permitted to evade the consequences of their failure to meet their responsibilities by imposing sanctions on their students.

"(5) The Adjudication Committee should avoid imposing punishment, as distinct from corrective action. The committee should punish a member institution only if there appears to be a purposeful pattern of conduct, repeated violations or a conscious, knowing effort to evade Association legislation and the Adjudication Committee makes a specific finding based on some evidence to that effect.

"Section 616 Report of Decision.

"The Adjudication Committee shall prepare a written report of its decision. Copies of the report must be sent to the member institution and each individual participating in the hearing of the Adjudication Committee within 20 days of the hearing. The report must contain the Adjudication Committee's findings of fact, the corrective action determined by the committee to be appropriate and notice of and the pro-

cedures for appealing the committee's decision to the Council.

Article Seven Appeal to Council

"Section 701 Right to Appeal.

"A member institution or any individual subject to a corrective action ordered by the Adjudication Committee may appeal the Adjudication Committee's findings and order of corrective action to the Council of the Association. If a party with this right to appeal fails to properly avail itself of the right to appeal, the decision of the Adjudication Committee shall be final.

"Section 702 Notice of Appeal.

"A party having the right to appeal the findings and corrective action order of the Adjudication Committee must file notice with the Council of the intent to appeal those findings and corrective order to the Council within 10 days after receiving its copy of the Adjudication Committee's report.

"Section 703 Effect of Appeal.

"An appeal to the Council shall toll any corrective action ordered by the Adjudication Committee. However, in the event the committee denies the appeal, in whole or in part, any period of probation or disqualification from Association activities, programs or championships shall run from the date of the Adjudication Committee's report, unless by exercise of the right to appeal the member institution has gained participation in such Association activities, programs or championships; in such a case, the period of probation or disqualification shall run from the effective date of the Council's decision on the appeal.

"Section 704 Date and Place of Appeal.

"Upon receipt of the notice of appeal, the Council will set the place and time for its hearing on the appeal. The time for the hearing shall be at least 45 days from the day the Council acts on the notice of appeal.

"Section 705 Appellant's Written Statement.

"At least 15 days prior to the date set for the Council's hearing on the appeal, the appellants shall file a written statement with the Council setting forth the basis of their appeal. A copy of this written statement of appeal simultaneously shall be supplied to each member of the Council, the principal investigator and the Committee on Infractions.

"Section 706 Appellee's Written Statement.

"At least 15 days prior to the date set for the Council's hearing on the appeal, the principal investigator, on behalf of the Committee on Infractions, shall file a written statement with the Council in support of the decision by the Adjudication Committee. A copy of this written statement shall be supplied to each member of the Council, the member institution and any other individual exercising the right to appeal under Section 701.

"Section 707 Appearances.

"The following persons may participate and appear at the appeal before the Council:

- "(1) The Committee on Infractions, represented by the chairman and principal investigator, shall appear in support of the Adjudication Committee decision.
- "(2) The member institution shall be represented by persons designated by its chief executive.
- "(3) Individuals affected by the Adjudication Committee decision may appear and may be represented at the hearing by counsel.

"Section 708 Council Hearing.

"The following rules shall control the conduct during the oral argument to the Council:

- "(1) Each party shall be given a reasonable time, no less than 30 minutes, which may be divided amongst speakers, in order to develop the various theories of appeal.
- "(2) A transcript of the hearing shall be prepared by a court reporter. The Council shall keep, as part of its record of the case, the original transcript of the hearing as prepared by the court reporter. The Council shall furnish, at Association expense, one copy of the transcript of the hearing to the member institution. Individuals whose conduct formed a part of the violations alleged against the member institution and who participated in the hearings shall be entitled to review the transcript. Individuals employed by or enrolled at the institution are to have access to the institution's copy of the transcript. Representatives of the athletic interests of the member institution who are not employed by the institution shall be permitted to purchase, at cost, from the Association those pages of the transcript of the hearing wherein their conduct was discussed.
- "(3) The hearing shall commence by the chairman requiring all parties making an appearance to introduce themselves so that their right to be present can be verified.
- "(4) The representatives of the Committee on Infractions then shall give a brief statement of the case and the decision of the Adjudication Committee and shall make a statement in support of the decision of the Adjudication Committee.
- "(5) The representatives of the member institution then shall state the basis for the member institution's appeal and the reasons the member institution believes the decision of the Adjudication Committee should be reversed, altered or modified.
- "(6) The individuals affected by the Adjudication Committee decision shall state the basis for their ap-

peal as to matters pertaining to them and give the reasons they believe the Adjudication Committee decision ought to be reversed, altered or modified as to them.

- "(7) The representatives of the Committee on Infractions then shall be permitted to rebut the arguments made by the appellants.

"Section 709 Council Deliberation.

"At the conclusion of the oral presentations, the Council shall dismiss everybody except Council members from the hearing room. The Council shall deliberate its decision in private.

"Section 710 Findings of Fact.

"The findings of fact by the Adjudication Committee shall be binding on the Council if the Adjudication Committee was not arbitrary in making its findings and if there is any evidence in the record to support those findings.

"Section 711 Corrective Actions.

"The corrective actions ordered by the Adjudication Committee shall be conclusive and final unless:

- "(1) The Council finds that the corrective actions or action ordered are based on a finding of fact which is not supported by the record.
- "(2) The Council determines that a corrective action ordered by the Adjudication Committee violates one or more of the principles governing the selection of corrective action.
- "(3) The Council finds that a corrective action ordered by the Adjudication Committee is arbitrary or unreasonable.

"Section 712

"The Council shall report its decision in writing to all parties participating in the appeal within 30 days of the hearing.

"Section 713 Effective Date.

"The Council decision shall be effective as of the date the institution receives a copy of the Council's decision. The member institution immediately shall undertake the implementation of the required corrective action. However, a reasonable time will be permitted for certain kinds of corrective action. For example, if discharge of an institutional employee is required, enough time for the normal institutional severance procedures to be carried out shall be permitted; or if the corrective action requires that an individual be relieved of coaching responsibilities, the situation may necessitate that the institution wait until the end of a current competitive season to change coaches.

"Section 714 Council Decision Final.

"There shall be no appeal from the decision of the Council. A member found to be in violation of Association legislation through the procedures of this enforcement program may propose, of course, to eliminate or alter the

applicable Association legislation by proposing such changes to the Association in Convention assembled. However, even if such a change were to be adopted by the Association, it would be legislative in nature and therefore would have prospective application only.

Article Eight

Rules Pertaining to the Conduct of Campus Hearings on the Eligibility of Student-Athletes

"Section 801 Hearing.

"In the administration of the athletic programs in accordance with NCAA regulations, member institutions may find it necessary, from time to time, to terminate or suspend the eligibility of student-athletes for participation in intercollegiate competition and organized athletic practice sessions because the student-athlete has violated Association legislation in regard to matters of other than minimum academic achievement. In any such case, the member institution shall notify the student-athlete concerned and afford him a hearing before the faculty athletic representative. The notice to the student-athlete shall set forth the specific sections of Association legislation the student-athlete is alleged to have violated, the facts the institution believes constitute the violation and the time and place on campus the hearing is to be held. The student-athlete shall have the right to be represented by independent legal counsel at the hearing.

"Section 802 Independent Arbitrator.

"In the event the student-athlete believes an impartial eligibility hearing is not available from the faculty athletic representative, the student-athlete may request in writing that such hearing be conducted by an independent arbitrator.

"Section 803 Timing.

"(A) If a question concerning the eligibility of a student-athlete to participate arises outside the practice and competition season of the student-athlete's sport, the hearing shall be scheduled in such a way as to permit a full development of the facts and resolution of the question prior to the next competitive season in the sport.

"(B) In the event a question concerning a student-athlete's eligibility arises during the practice or competition season of the student-athlete's sport, the hearing must be held within one week of the time the question arises. During the one-week period, the student-athlete shall remain eligible for competition. In the event the student-athlete requests additional time to prepare for the hearing, the student-athlete shall be withheld from competition during the additional time granted.

"Section 804 Scope.

"The hearing on ineligibility shall attempt to develop accurate, credible facts pertaining to the student-athlete's

compliance with the eligibility requirements of the Association.

"Section 805 Rulings.

"(A) Where the facts developed at an eligibility hearing indicate that persons employed by or representing the member institution gave 'extra benefits' to the student-athlete, the member institution shall institute appropriate disciplinary action against the institutional employees and representatives. The student-athlete need be declared ineligible only if it is demonstrated that the student-athlete knowingly received 'extra benefits.'

"(B) Where facts developed at the eligibility hearing indicate that the student-athlete has engaged in 'off-campus' conduct violative of the Association's legislation, the athlete need be declared ineligible for competition only to the extent that the athlete has obtained a competitive advantage over student-athletes representing other institutions.

"Section 806 Appeal for Restoration.

"In those cases where a campus hearing results in a declaration of ineligibility, the member institution may appeal to the Subcommittee on Eligibility Appeals if the member institution believes that circumstances exist which warrant the restoration of the student-athlete's eligibility.

"Section 807 Report to Association.

"Within 72 hours of the conclusion of its eligibility hearing, a member institution shall report in writing to the assistant executive director for enforcement the result of each such eligibility hearing conducted by the member institution.

"Section 808 Student-Athlete Ineligible.

"If the campus hearing results in the student-athlete being declared ineligible for competition, the report to the assistant executive director for enforcement shall state the rule or rules found to have been violated, the facts forming the basis of the violation, the duration (either in time or number of contests) the institution intends to withhold the athlete from competition and whether the member institution intends to file an appeal for restoration of the student-athlete's eligibility or file for a reduction in the period of ineligibility.

"a. If the assistant executive director for enforcement finds the determination of ineligibility and the duration thereof consistent with the policies of the Association, he shall so indicate to the member institution by written notice.

"b. If the assistant executive director for enforcement finds that the determination or duration of ineligibility is not in conformity with the practices of the Association, he shall so inform the institution and at the same time schedule a meeting of the Subcommittee on Eligibility Appeals for the purpose of reviewing the campus decision. The member insti-

tution shall be bound by the decision of the Subcommittee on Eligibility Appeals.

"Section 809 Student-Athlete Found Eligible.

"If the campus hearing results in a finding that the student-athlete is eligible for athletic competition (e.g., the facts as disclosed at the hearing indicate no basis for a finding of ineligibility), the facts supporting the finding of eligibility must be reported to the assistant executive director for enforcement.

"1. If the assistant executive director for enforcement concurs with the findings of the campus hearing, the matter shall be closed and the student-athlete shall remain eligible for competition.

"2. If the assistant executive director for enforcement disagrees with the conclusion of the campus hearing, he immediately shall notify the member institution in writing, setting forth the specific reasons for the disagreement. At the same time, the assistant executive director for enforcement shall schedule a meeting of the Subcommittee on Eligibility Appeals at the earliest possible time to review the case. The member institution may permit the student-athlete to continue to participate in athletic competition until the Subcommittee on Eligibility Appeals orders the student-athlete be withheld from competition. The member institution and the student-athlete may participate in the hearing of the Subcommittee on Eligibility Appeals and may be represented by legal counsel in those proceedings. The member institution shall be bound by the decision of the Eligibility Appeals Committee.

"Section 810 Compliance with Procedures.

"A member complying with the procedures outlined in this article may not be charged with a failure to fulfill the obligations of membership in the National Collegiate Athletic Association.

Article Nine

Miscellaneous Provisions

"Section 901 Publicity.

"The principle of confidentiality requires that no public announcement of actions taken under this enforcement program should be made until such time as those actions result in a final adjudication. Further, unless necessary or obvious, the names of individuals involved or affected by actions taken under this enforcement program should not be revealed. However, if any individual or institution benefiting from the policy on confidentiality waives the benefits of that policy by making public that they are involved in a matter under this enforcement program, the principle of confidentiality is waived as to those individuals and institutions.

"Section 902 New Evidence.

"When a decision has been made and corrective action ordered under Article Five, Six or Seven of this enforcement program and publicly announced, there shall be no review of the corrective action ordered except upon a showing of newly discovered evidence which is directly related to the findings in the case. A member institution seeking a review under this section shall be required to submit six copies of its appeal to the Adjudication Committee. Within 45 days of the receipt of this appeal, the Adjudication Committee shall decide whether it shall grant a hearing on the appeal. If the Adjudication Committee decides to grant such an appeal, it shall set a time and place for the hearing and give such notice of the hearing to the parties concerned with it as will best serve the interests of justice. The hearing on this new evidence shall be conducted in accordance with the procedures set forth in Article Six pertaining to the conduct of hearings by the Adjudication Committee.

"Section 903 Conference Action in Regard to Enforcement of Association Legislation.

"Member institutions which are also members of conferences are also subject to the enforcement programs of those conferences. A conference is free to enforce its own rules which are different from or in addition to the legislation of this Association. This Association shall respect the enforcement programs in decisions of conferences.

"As to the legislation of this Association, the enforcement program of this Association shall have primary and exclusive jurisdiction and responsibility. If a conference discovers facts which constitute a violation of this Association's legislation, the conference shall bring the alleged violation to the attention of the Committee on Infractions for processing in accordance with this enforcement program. The conference, if it so chooses, may impose corrective action through its own procedures additional to any corrective action ordered under this enforcement program; but corrective action imposed by a conference shall have no effect on the operation of this enforcement program.

"Section 904 Court Orders.

"If a student-athlete who is ineligible under Association legislation is permitted to participate in intercollegiate competition contrary to such Association legislation but in compliance with the terms of a court restraining order or injunction against the institution attended by such student-athlete or the Association, or both, and the litigation resulting in such restraining order or injunction is not financed by the member institution, and said injunction is subsequently voluntarily vacated, stayed, reversed or finally determined by the courts that injunctive relief is not or was not justified, no action under this enforcement program may be taken against the member institution for permitting the ineligible

student-athlete to compete in accordance with the terms of the court order or injunction."

Source: University of Arkansas, Fayetteville; Colorado School of Mines; Creighton University; University of Denver; Indiana State University, Terre Haute; New Mexico State University; University of Oklahoma; Wichita State University.

Intent: To revise the Association's enforcement program by replacing the existing program with the new rules and procedures set forth in this proposal, including, among other things, separation of the investigation of violations from the adjudication of those violations and granting individuals affected by Association decisions the right to participate in the procedures by which those decisions are reached. [Note: Bylaw 10-3 would be revised editorially to adjust the composition of the Committee on Infractions and to establish the Adjudication Committee in accordance with this proposal.]

Effective Date: Immediately.

Action: Defeated.

NO. 61-1 RESOLUTION: ENFORCEMENT PROCEDURE

[All divisions, common vote]

"Be It Resolved, that proposal No. 61 be referred to the NCAA Council, with the instructions that the proposal be referred to member institutions to secure the reactions of their legal counsel in terms of state law and regulations and system and institution policies, as appropriate, by April 1, 1979; further, that the NCAA Council convene a meeting of legal counsels and others from member institutions who wish to participate to review the responses and to present a revised version or versions to the next special or annual Convention of the Association held after July 1, 1979."

Source: California State University, Long Beach.

Action: Defeated.

NO. 61-2 ENFORCEMENT PROCEDURE

A. Enforcement Procedure: Amend Proposal No. 61; Section 418- (4), as follows:

[All divisions, common vote]

"(4) It contain a list of persons the Committee on Infractions believes should be present at the hearing. **Unless their retirement or resignation has previously been announced,** *Persons* on this list who are employed by member institutions violate the cooperation spirit of the enforcement program if they fail to attend."

B. Enforcement Procedure: Amend Proposal No. 61; Section 603, as follows:

[All divisions, common vote]

"**Unless their retirement or resignation has previously been announced,** *All* all individuals employed by the member

institution who are requested to attend the hearings by the Committee on Infractions and/or the Adjudication Committee are required to be present at the hearing. [Remainder of paragraph unchanged.]”

Source: California State University, Long Beach.

Action: Withdrawn.

NO. 61-3 ENFORCEMENT PROCEDURE

Enforcement Procedure: Amend Proposal No. 61; Section 611, as follows:

[All divisions, common vote]

“The Adjudication Committee shall deliberate in private. During its deliberations, it shall make specific findings as to any facts in dispute. Such findings shall be conclusive if there is *any* **sufficient** evidence in the record to support them.”

Source: California State University, Long Beach.

Action: Withdrawn.

NO. 61-4 ENFORCEMENT PROCEDURE

Enforcement Procedure: Amend Proposal No. 61; Section 614-(10), as follows:

[All divisions, common vote]

“(10) A requirement that an institution which has been represented in an NCAA championship by a student-athlete who was recruited or received improper benefits (which would not necessarily render him ineligible) in violation of NCAA legislation shall return its share (**but not its conference's share if it has already been distributed**) of net receipts from such competition in excess of the regular expense reimbursement; or if said funds have not been distributed, they shall be withheld by the NCAA executive director if it is found that an institution knew or should have known that the student-athlete had received improper benefits;”

Source: California State University, Long Beach.

Action: Withdrawn.

NO. 62 ENFORCEMENT POLICIES

A. Enforcement Procedure: Amend Section 1-(a), page 133, by deleting subparagraph (3), renumbering remaining paragraphs, as follows:

[All divisions, common vote]

“(3) Provide general guidance to the NCAA investigative staff in the development of information related to alleged violations;”

B. Enforcement Procedure: Amend Section 2-(b) and (c) and add new paragraph (d), page 134, as follows:

[All divisions, common vote]

“(b) The investigative staff, so far as practicable, and under the

general guidance of the committee, shall make a thorough investigation of all such charges which are received from responsible sources and are reasonably substantial. The investigative staff may conduct a preliminary inquiry to determine whether there is adequate evidence to warrant an official inquiry, and in conducting this inquiry the services of a field investigator may be used.

“(c) Under the general guidance of the committee, The investigative staff also may initiate an investigation on its own motion when it has reasonable cause to believe that a member is or has been in violation of its obligations as a member of the Association.

“(d) Investigations by the investigative staff shall be conducted in accordance with the operating policies, procedures and investigative guidelines established by the Committee on Infractions.”

Source: NCAA Council (Committee on Infractions).

Intent: To emphasize that the Committee on Infractions establishes investigative guidelines which are to be implemented by the investigative staff in conducting investigations.

Effective Date: Immediately.

Action: Approved.

NO. 63 ENFORCEMENT POLICIES

A. Enforcement Procedure: Amend Section 3-(b), page 134, as follows:

[All divisions, common vote]

“(b) If ~~the~~ **the assistant executive director for enforcement, subject to consultation with the executive director when necessary**, determines that an allegation or complaint warrants an official inquiry, ~~it~~ **he** shall determine its scope and thrust and direct a letter to the chief executive officer of the member involved (with copies to the faculty representative and athletic director of the member and to the executive officer of the allied conference of which the institution is a member) fully informing him of the matter under inquiry and requesting his cooperation to the end that the facts may be discovered. By this letter, the ~~committee~~ **assistant executive director for enforcement** shall call upon the chief executive officer of the member involved for the disclosure of all relevant information and may require his appearance or the appearance of his representative before the committee at a time and place which are mutually convenient, if such appearance is deemed necessary ~~by the committee~~. If a member declines to meet with the committee after having been requested to do so, the member shall not have the right to appeal either the committee's findings of facts and violations or the resultant penalty.”

B. Enforcement Procedure: Amend Section 12-(b) and delete subparagraph (1), page 142, renumbering subsequent subparagraphs, as follows:

[All divisions, common vote]

“(b) Letters of Official Inquiry—The assistant executive direc-

tor for enforcement shall report to the committee the general scope of the matters under investigation in order to obtain authorization to **may** file a letter of official inquiry with the involved institution **when he determines that adequate evidence of a violation(s) of NCAA legislation has been collected to warrant consideration of the matter by the Committee on Infractions and the involved institution.**

"(1) In the interim between meetings of the full committee, the chairman may authorize the filing of such inquiries."

C. Enforcement Procedure: Amend Section 12-(c)-(1), page 143, as follows:

[All divisions, common vote]

*"(1) When the Committee on Infractions **investigative staff** does not request that an institution be represented in person before the committee, the institution may choose to have the matter in question reviewed on the basis of the written record before the committee."*

Source: NCAA Council (Committee on Infractions).

Intent: To remove the Committee on Infractions from the role of reviewing the general scope of an infractions case prior to authorizing an official inquiry.

Effective Date: Immediately.

Action: Approved.

NO. 64 TIME PERIOD

Enforcement Procedure: Amend Section 3, page 134, by adding new paragraph (c), relettering subsequent paragraph, as follows:

[All divisions, common vote]

"(c) Allegations included in a letter of official inquiry shall be limited to possible violations occurring not earlier than four years before the date the notice of preliminary inquiry is forwarded to the institution, except for allegations involving violations affecting the eligibility of a current student-athlete or in a case in which information is developed to indicate a pattern of willful violations on the part of the institution or individual involved, which began before but continued into the four-year period."

Source: NCAA Council.

Intent: To confirm the time period subject to investigation in an infractions case.

Effective Date: Immediately.

Action: Approved.

NO. 65 DEVELOPMENT AND PRESENTATION OF INFORMATION

A. Enforcement Procedure: Amend Section 3, page 134, by adding new subparagraph (d), as follows:

[All divisions, common vote]

"(d) A member which is subject to official inquiry shall collect all information available to it concerning the allegations set forth in the inquiry. At any appearance before the committee, the member shall have the obligation of providing full information concerning each allegation."

B. Enforcement Procedure: Amend Section 12-(a)-(10), page 142, as follows:

[All divisions, common vote]

*"(10) The enforcement staff shall attempt to develop any information which would corroborate or refute alleged violations of NCAA legislation reported in previous interviews. **At any appearance before the committee, the enforcement staff shall have the obligation of providing full information concerning each allegation set forth in the official inquiry.**"*

Source: NCAA Council.

Intent: To clarify obligations to collect and provide full information to the Committee on Infractions.

Effective Date: Immediately.

Action: Approved.

NO. 66 CONSIDERATION OF INFORMATION

A. Enforcement Procedure: Amend Section 4-(a), page 135, by adding new subparagraph (3), renumbering subsequent subparagraphs, as follows:

[All divisions, common vote]

"(3) Any oral or documentary information may be received, but the committee may exclude information which it determines to be irrelevant, immaterial or unduly repetitious."

B. Enforcement Procedure: Amend Section 4-(b), page 135, by adding new subparagraph (2), renumbering subsequent subparagraphs, as follows:

[All divisions, common vote]

"(2) The committee shall base its findings on information presented to it which it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs."

Source: NCAA Council.

Intent: To clarify present Committee on Infractions procedures.

Effective Date: Immediately.

Action: Approved.

NO. 67 ENFORCEMENT POLICIES

A. Enforcement Procedure: Amend Section 4-(b)-(1), page 135, as follows:

[All divisions, common vote]

"(1) In arriving at its determinations, it may request additional information from any appropriate source including the member or the investigative staff. **In the event new information is requested from either the institution or the investigative staff to assist the committee in arriving at findings of violations, both parties will be afforded an opportunity to be represented at the time such information is provided the committee.**"

B. Enforcement Procedure: Amend Section 12-(c)-(13), page 145, as follows:

[All divisions, common vote]

"(13) In arriving at its determinations, the committee may request additional information from any appropriate source, including the institution or the investigative staff. **In the event new information is requested from either the institution or the investigative staff to assist the committee in arriving at findings of violations, both parties will be afforded an opportunity to be represented at the time such information is provided the committee.**"

Source: NCAA Council (Committee on Infractions).

Intent: To clarify present Committee on Infractions procedures.

Effective Date: Immediately.

Action: Approved.

NO. 68 VOTING PRIVILEGE

Constitution: Amend Article 5, Section 6, pages 34-35, by adding new paragraph (d), relettering subsequent paragraphs, as follows:

[All divisions, common vote]

"(d) Members on probation as the result of enforcement procedures shall not have voting privileges at the annual Convention or at special Association meetings."

Source: Arkansas State University; Lamar University; Louisiana Tech University; McNeese State University; University of Southwestern Louisiana; University of Texas, Arlington.

Intent: To prohibit a member institution which is on probation as a result of the Association's enforcement program from voting at annual and special NCAA Conventions. [Note: Enforcement Procedure 7-(b)-(7) would be revised editorially to delete the voting restriction as an optional disciplinary measure.]

Effective Date: Immediately.

Action: Defeated.

NO. 69 INSTITUTIONAL CONTROL

Constitution: Amend Article 3, Section 2-(b) and add new paragraph (c), page 15, as follows:

[All divisions, common vote]

"(b) An institution's 'responsibility' for the conduct of its intercollegiate athletic program shall include responsibility for the acts of an independent agency, **or organization or individual** when the institution's executive or athletic administration, **or an athletic department staff member**, has knowledge that such agency, **or organization or individual** is promoting the institution's intercollegiate athletic program or any athletic department staff member of the institution participates or assists in the functions of the agency or organization.

"(c) An institution's 'responsibility' for the conduct of its intercollegiate athletic program shall include responsibility for the acts of individuals when the institution's executive or athletic administration has knowledge or should have knowledge that such individual has participated in or is a member of an agency or organization as described in paragraph (b) of this section, has made financial contributions to the athletic department or an athletic booster organization of that institution, has been requested by the athletic department staff to assist in the recruitment of prospective student-athletes or is assisting in the recruitment of prospective student-athletes, has assisted or is assisting in providing benefits to enrolled student-athletes or is otherwise involved in promoting the institution's athletic program. Any individual participating in such activities shall be considered a 'representative of the institution's athletic interests.' Once a person is identified as a representative, it is presumed he retains that identity."

Source: NCAA Council (Committee on Infractions).

Intent: To clarify the definition of a "representative of the institution's athletic interests."

Effective Date: Immediately.

Action: Approved.

Financial Aid

NO. 70 FINANCIAL AID DEFINITION

Constitution: Amend Article 3, Section 1-(g)-(1), page 12, as follows:

[All divisions, common vote]

"(g) The following practices shall constitute 'pay' for participation in intercollegiate athletics and are expressly prohibited:

"(1) The award of financial aid to a student-athlete which exceeds commonly accepted educational expenses (i.e., tuition and **mandatory** fees, room and board and **use of** required course-related books, **use of required equipment and required supplies**), other than legitimate loans, based upon a regular repayment schedule, available to all students and administered on the same basis for all students."

Source: University of Illinois, Champaign; Indiana University; University of Iowa; University of Michigan; Michigan State University.

ty; University of Minnesota, Twin Cities; Northwestern University; Ohio State University; Purdue University; University of Wisconsin, Madison.

Intent: To permit a student-athlete the use of required books, use of required equipment and required supplies; to specify that the permissible fees must be mandatory fees.

Effective Date: August 1, 1979.

Action: Defeated, 281-165 (two-thirds majority required).

NO. 71 FINANCIAL AID—SUMMER SCHOOL

Constitution: Amend Article 3, Section 4-(b)-(1), page 17, as follows:

[All divisions, common vote]

"(1) Financial aid may *not* be provided a student while attending a summer school or summer term *unless he has been in residence a minimum of one term during the regular academic year prior to his initial fall term at the awarding institution only if the student has been accepted for admission to the awarding institution prior to his enrolling in the summer session(s)*, and then such financial aid may be utilized only to attend the awarding institution's summer term or summer school."

Source: Clemson University; Duke University; Georgia Institute of Technology; University of Maryland, College Park; University of North Carolina, Chapel Hill; University of Virginia; Wake Forest University.

Intent: To permit the award of countable financial aid to an eligible student-athlete to attend the summer session(s) at the awarding institution prior to his initial fall term at that institution, provided he has been accepted for admission prior to enrollment in the summer session(s). [Note: Bylaw 1-8-(a) would be revised editorially to permit such financial assistance.]

Effective Date: Immediately.

Action: Withdrawn.

NO. 72 DISABLED VETERANS' AWARDS

Constitution: Amend Article 3, Section 4-(d)-(2), page 18, by adding new subparagraph (v), as follows:

[All divisions, common vote]

"(2) Governmental grants for educational purposes, except:
[Subparagraphs (i), (ii), (iii) and (iv) unchanged.]

"(v) State government awards to disabled veterans, provided such awards are approved by the Council by a two-thirds majority of its members present and voting."

Source: St. John's University (New York), Manhattan College, New York University, Hofstra University, Wagner College, Fordham University, Seton Hall University.

Intent: To exempt disabled veteran's awards provided by state gov-

ernments from inclusion in the computation of maximum allowable financial aid, provided such awards are reviewed and approved by the Council.

Effective Date: Immediately.

Action: Approved, 311-147.

NO. 73 EXEMPTED PLAYERS

Bylaws: Amend Article 5, Section 4, page 75, by adding new paragraph (e) and subparagraphs (1) and (2), as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(e) He becomes injured or ill to the point that he apparently will be unable to participate in intercollegiate athletics ever again. Such a student-athlete (if countable at the time the injury or illness occurred) need not be counted beginning with the next academic year.

"(1) If circumstances change and the student-athlete subsequently practices or participates, he shall again be counted; and the institution then would be required to count such financial assistance under the limitations of this bylaw in the sport in question during each academic year the financial aid was received.

"(2) The Council, by a two-thirds majority of its members present and voting, may waive the requirements of subparagraph (1) upon a determination that sufficient documentation is available from competent medical authorities to indicate that the original injury or illness clearly appeared to be incapacitating and there was not reasonable expectation that the student-athlete ever again would be able to participate in intercollegiate athletics."

Source: NCAA Council.

Intent: To specify the manner in which a student-athlete is counted under the Bylaw 5 limitations if he appears to have suffered a permanent injury or illness but subsequently is able to return to practice or competition.

Effective Date: Immediately.

Action: Approved by Divisions I and II.

NO. 74 EXEMPTED PLAYERS

Bylaws: Amend Article 5, Section 4, by adding new paragraph (e), page 75, as follows:

[Division I only]

"(e) He was recruited and is receiving financial aid as to which there is on file in the office of the director of athletics certification by the faculty athletic representative and the director of financial aid that the student's financial aid was granted without regard in any degree to his athletic ability.

This applies only to sports other than football and basketball."

Source: University of Illinois, Champaign; Indiana University; University of Iowa; University of Michigan; Michigan State University; University of Minnesota, Twin Cities; Northwestern University; Ohio State University; Purdue University; University of Wisconsin, Madison.

Intent: To exempt from the Bylaw 5 counting procedure a recruited athlete in sports other than football and basketball who is receiving financial aid not based upon his athletic ability.

Effective Date: August 1, 1980.

Action: Approved by Division I, 140-97.

NO. 75 DETERMINATION OF FINANCIAL NEED

Bylaws: Amend Article 5 by adding new Section 9, page 78, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"Section 9. Determination of Financial Need. To be eligible to represent his institution in intercollegiate athletic competition in any sport other than football or basketball, a student-athlete in such sport shall not be the recipient of financial aid (for which his athletic ability is considered in any degree) in excess of the permissible maximum amount determined by application of the provisions of this section.

"(a) Each member institution shall file with the NCAA a statement of its educational equivalent. If the educational equivalent of a member differs between and among divisions of an institution, it shall file a statement of the educational equivalent for each subdivision for which there is enrolled a student-athlete. The educational equivalent is defined as tuition and mandatory fees, room and board at campus rates for double occupancy, use of required course-related books and nonexpendable supplies. Revised statements shall be filed whenever there is a change in the respective amounts and shall indicate the academic year in which the statement applies.

"(b) A member institution may award tuition and mandatory fees, or part thereof, to a student-athlete in a sport other than football or basketball without regard to his financial need, but an award shall not cover any other part of his educational equivalent except upon a showing of financial need by the recipient. Upon a showing of such need, the institution may award financial aid to the student-athlete to cover any part of the educational equivalent (in addition to tuition and mandatory fees) which exceeds the student-athlete's calculated expected family contribution.

"(c) When a scholarship or grant-in-aid is awarded to a student-athlete in a sport other than football or basketball and the recipient's athletic ability was considered in any degree in determining the recipient of the award, such

financial aid combined with other aid or income the student may receive from employment during semester or term time, other scholarships or grants-in-aid (including governmental grants for educational purposes) and like sources, together with the computed expected family contribution, shall not exceed the educational equivalent as defined above. Bona fide loans which must be paid in full, not related in any way to the borrower's athletic ability, are not a required component in determining the aid limit.

"(d) The method for determining the expected family contribution (see Appendix A) on the basis of income of the student, his spouse (if any) and his parents (or guardian), excluding wage or salary income of the student, shall conform to the 'Uniform Methodology' developed by the College Scholarship Service and the American College Testing Service and used in determining need for the Federal campus-based programs (National Direct Student Loan, College Work-Study Program and Supplementary Educational Opportunity Grant Program).

"(e) To secure the information needed to calculate the expected family contribution, the student must submit a Parents' Confidential Statement, a Financial Aid Form or a Family Financial Statement. The form shall be submitted to the NCAA, or its designated agent, which shall determine the expected family contribution and advise the student of the figure thus established. The figure and a copy of the form shall be revealed to such member institutions as the student directs, and such institutions may offer or award aid as provided above in accordance with the stated figure.

"(f) The information in the form shall be kept confidential by the NCAA, or its designated agent, and the institution receiving the form, except to the extent that the information may be material to questions of violation of NCAA requirements.

"(g) In the event of a change of economic circumstances of those whose income is considered in calculating the expected family contribution, the student may secure a new calculation by following the procedure utilized in determining his original calculation. The result of the new calculation shall be similarly revealed. After the student has entered the institution, an award may be adjusted if a new calculation by the NCAA, or its designated agent, establishes a change in need.

"(h) A member institution may award financial aid on the basis of need established by any other procedure it chooses, provided such aid shall not exceed the maximum amount permitted by the NCAA formula as specified in paragraph (d) above, and the institution so certifies to the NCAA.

"(i) The Council may establish such further procedures as it deems desirable, adopt appropriate additional forms,

fix fees for supplying forms or providing statements of the calculated expected family contribution, authorize preparation and supplying of instructions on the use of forms or on the procedures and of informational pamphlets and otherwise implement the provisions of this section. Such acts of the Council may be passed on by the annual Convention in the manner provided for review of interpretations in Constitution 6-2."

"(j) Special consideration or treatment shall not be given to student-athletes, regardless of the sources of funds that provide this financial aid."

Source: University of Illinois, Champaign; University of Iowa; University of Michigan; Michigan State University; University of Minnesota, Twin Cities; Northwestern University; Ohio State University; Purdue University; University of Wisconsin, Madison; Ball State University; Bowling Green State University; Central Michigan University; Eastern Michigan University; Kent State University; Miami University (Ohio); Northern Illinois University; Ohio University; University of Toledo; Western Michigan University; Illinois State University.

Intent: To specify that student-athletes in all sports other than football and basketball at Division I and Division II member institutions shall be awarded financial aid only on the basis of need, except for tuition and mandatory fees, and to establish procedures for determination of financial need.

Effective Date: August 1, 1980.

Action: Defeated by Divisions I and II.

NO. 76 FINANCIAL AID LIMITATION

Bylaws: Amend Article 5 by adding new Section 9, page 78, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"Section 9. Talent Awards. (a) To be eligible to represent his institution in intercollegiate athletic competition in any sport other than football or basketball, a student-athlete in such a sport shall not be the recipient of financial aid (for which his athletic ability is considered in any degree) in excess of the permissible maximum amount determined by application of the provisions of this section.

"(b) A member institution may award tuition and mandatory fees, or parts thereof, as a talent award to a student-athlete in a sport other than football or basketball. Any other financial aid or income the student may receive, including employment during semester or term time, other scholarships or grants-in-aid, governmental grants for educational purposes and like sources, shall not exceed 'commonly accepted educational expenses' when combined with the athletic grant and shall be available to all students and administered on the same basis for all students."

Source: Ball State University, Bowling Green State University,

Central Michigan University, Eastern Michigan University, Kent State University, Miami University (Ohio), Northern Illinois University, Ohio University, University of Toledo, Western Michigan University.

Intent: To specify that student-athletes in all sports other than football and basketball at Division I and Division II member institutions may be awarded tuition and mandatory fees but that any other financial aid or income must be available to all students and administered on the same basis for all students; further, the amount of such additional aid, when combined with the athletic grant, may not exceed "commonly accepted educational expenses."

Effective Date: August 1, 1980.

Action: Withdrawn.

NO. 77 MAXIMUM AWARDS—DIVISION I

Bylaws: Amend Article 5, Section 5-(a) and (b), page 75, by deleting the present language and substituting the following; relettering subsequent paragraphs:

[Division I only]

"(a) Division I—In each sport, except football and basketball, there shall be a limit on the number of financial aid awards in effect at any one time, including awards made to freshmen, transfer students (from two-year and four-year institutions) and upperclassmen, as follows:

"(1) The limits on the number of financial aid awards issued based in any degree upon athletic ability shall be as follows:

"(i) Following is the maximum number of awards which may be in effect at any one time for each sport:

Baseball	13	Skiing	7
Cross Country/Track	14	Soccer	11
Fencing	5	Swimming	11
Golf	5	Tennis	5
Gymnastics	7	Volleyball	5
Ice Hockey	20	Water Polo	5
Lacrosse	14	Wrestling	11

"(ii) The maximum number of financial aid awards which may be in effect at any one time for all sports, except football and basketball, shall be 80.

"(2) The limits on any additional number of financial aid awards which may be granted by the institution's financial aid office to student-athletes who were recruited and for whom there is on file in the office of the director of athletics certification by the faculty athletic representative and the director of financial aid that the student's financial aid was granted without regard in any degree to his athletic ability shall be as follows:

"(i) Following is the maximum number of

awards not based upon athletic ability which may be in effect at any one time for each sport:

Baseball	13	Skiing	7
Cross Country/Track	14	Soccer	11
Fencing	5	Swimming	11
Golf	5	Tennis	5
Gymnastics	7	Volleyball	5
Ice Hockey	20	Water Polo	5
Lacrosse	14	Wrestling	11

"(ii) The maximum number of financial aid awards which may be in effect at any one time for all sports, except football and basketball, shall be 80."

Source: University of Illinois, Champaign; University of Iowa; University of Michigan; Michigan State University; University of Minnesota, Twin Cities; Northwestern University; Ohio State University; Purdue University; University of Wisconsin, Madison.

Intent: To adjust the Division I maximum awards provisions to permit the specified number of awards in each sport to those student-athletes receiving tuition and mandatory fees pursuant to the proposed need formula and an equal number of awards in each sport to those recruited student-athletes receiving financial aid not based on their athletic ability pursuant to the proposed Bylaw 5-4-(d), thus replacing equivalency limitations in those sports with "head-count" limits.

Effective Date: August 1, 1980.

Action: First half withdrawn; second half moot due to adoption of No. 74.

NO. 78 MAXIMUM AWARDS—DIVISION I-A FOOTBALL

Bylaws: Amend Article 5, Section 5-(c), page 76, as follows:

[Division I-A football only]

"(c) Division I Football—There shall be an annual limit of 30 on the number of initial financial aid awards which may be made to student-athletes, and there shall be an annual limit of 95 on the total number of financial aid awards which may be in effect the same year, including initial awards.

"(1) If in any given year the total number of financial aid awards in effect at an institution was less than 85, the annual limit on the number of initial awards may be increased to 35 at that institution the following year.

"(2) An institution may not exercise the provisions of subparagraph (1) more than two times in any four-year period nor more than three times in any seven-year period."

Source: San Diego State University; Fresno State University; University of Texas, El Paso; Bradley University; University of Miami (Florida); Oklahoma State University. [Note: Bradley University was not eligible to sponsor this proposal inasmuch as the institution does not sponsor football. However, the Convention acted

unanimously to permit Division I-A members to vote on the proposal.]

Intent: To provide flexibility in the current limitation regarding initial grants in the sport of football in Division I-A while retaining the present limitation of 95 awards which may be in effect in the same year.

Effective Date: Immediately.

Action: Defeated by Division I-A football.

NO. 79 MAXIMUM AWARDS—DIVISION I-AA FOOTBALL

Bylaws: Amend Article 5, Section 5, pages 75-77, by adding new paragraph (d), relettering subsequent paragraphs, as follows:

[Division I-AA football only]

"(d) Division I-AA Football—There shall be an annual limit of 30 on the number of initial financial aid awards which may be made to student-athletes, and there shall be an annual limit of 70 on the value of financial aid awards which may be in effect the same year, including initial awards."

Source: NCAA Council (Division I-AA Football Committee).

Intent: To establish new maximum awards limitations in Division I-AA football: 30 initial awards, based on number ("head count"), and 70 awards in effect in the same year, based on value (equivalencies). [Note: Bylaw 5-5-(c) will be revised editorially to specify that it applies to Division I-A.]

Effective Date: Immediately; member institutions shall conform to the overall limit of 70 for the 1981-82 academic year and are governed by the Division I-A limit of 95 (based on "head count") in the interim.

Action: Moot due to adoption of No. 80.

NO. 79-1 MAXIMUM AWARDS—DIVISION I-AA FOOTBALL

Bylaws: Amend Proposal No. 79; Bylaw 5-5-(d), as follows:

[Division I-AA football only]

"(d) Division I-AA Football—There shall be an annual limit of 30 on the number of initial financial aid awards which may be made to student-athletes, and there shall be an annual limit of 70 on the value of financial aid awards which may be in effect the same year, including initial awards. The maximum awards may not be distributed to more than 95 student-athletes."

Source: Ohio Valley Conference.

Action: Withdrawn.

NO. 80 MAXIMUM AWARDS—DIVISION I-AA FOOTBALL

Bylaws: Amend Article 5, Section 5, pages 75-77, by adding new paragraph (d), relettering subsequent paragraphs, as follows:

[Division I-AA football only]

"(d) Division I-AA Football—There shall be an annual limit of 30 on the number of initial financial aid awards which may be made to student-athletes, and there shall be an annual limit of 75 on the value of financial aid awards in effect the same year, including initial awards. The maximum awards may not be distributed to more than 95 student-athletes."

Source: Boise State University, University of Idaho, Idaho State University, University of Montana, Montana State University, Northern Arizona University, Weber State College.

Intent: To establish new maximum awards limitations in Division I-AA football: 30 initial awards, based on number ("head count"), and 75 awards in effect in the same year, based on value (equivalencies), which may be distributed to no more than 95 student-athletes.

Effective Date: Immediately.

Action: Approved by Division I-AA football, 22-21. Convention changed order of business to permit consideration of No. 80 before No. 79.

NO. 81 MAXIMUM AWARDS—DIVISION II FOOTBALL

Bylaws: Amend Article 5, Section 5-(f), page 76, as follows:

[Division II football only]

"(f) Division II—Following are the maximum awards which may be in effect at any one time: Football 60 45."

Source: NCAA Council (Division II Steering Committee).

Intent: To reduce the maximum awards limitation in Division II football from 60 to 45.

Effective Date: Immediately; member institutions shall limit awards in effect to 55 in the 1979-80 academic year, 50 in the 1980-81 academic year and shall conform to the limit of 45 for the 1981-82 academic year.

Action: Approved by Division II football as amended by No. 81-1.

NO. 81-1 MAXIMUM AWARDS—DIVISION II FOOTBALL

Bylaws: Amend Proposal No. 81; Bylaw 5-5-(f), as follows:

[Division II football only]

"Effective Date: Immediately; member institutions shall limit awards in effect to 55 in the 1979-80 1980-81 academic year, 50 in the 1980-81 1981-82 academic year and shall conform to the limit of 45 for the 1981-82 1982-83 academic year."

Source: North Central Conference.

Action: Approved by Division II football, 45-41.

NO. 82 MAXIMUM AWARDS—EQUIVALENCIES

Bylaws: Amend Article 5, Section 5-(g), pages 76-77, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(g) With respect to sports other than football or basketball in Division I, and with respect to all sports in Division II, a member institution may administer such awards to any number of recipients on the basis of value (equivalency) so long as the total dollar amount expended does not exceed the value of 'commonly accepted educational expenses' at that institution multiplied by the number of maximum awards permitted for the particular sport in its division. The following computational method shall be utilized in administering this procedure:

"(1) Member institutions whose full tuition and fees total less than \$800 shall use actual tuition and fees amounts in the equivalency fraction. Member institutions whose full tuition and fees total \$800 or more shall use \$800 as the amount of a full tuition-and-fees grant in the equivalency fraction and \$400 as the amount of a 50 per cent tuition-and-fees grant in the equivalency fraction."

"(2) In making fractional awards, a member institution may elect to pay or waive any amount of a student-athlete's tuition and fees; if the total tuition and fees cost to a student is more than \$800, an award or waiver for that part of the cost above \$800 shall not be part of the numerator of the equivalency fraction."

"(3) (1) The institution shall count the actual amount of money a student-athlete is awarded or receives for room, board, tuition and fees as well as books (which may not exceed \$150 per academic year). The numerator of the equivalency fraction shall consist of the total amount awarded or received for room and board as well as books (which may not exceed \$150 per academic year) plus tuition and fees calculated as described in subparagraph (1)."

"(4) (2) The actual amount he receives in ratio to the actual total maximum amount he could receive for each item listed herein shall represent a fraction of the maximum award utilized. The denominator of the equivalency fraction shall consist of the actual total amount the student-athlete could receive for room and board and books, plus tuition and fees calculated as described in subparagraph (1)."

"(5) (3) The sum of all fractional and maximum awards received by student-athletes shall not exceed the total limit each year in the sport in question."

Source: University of Arizona; Arizona State University; University of California, Berkeley; University of California, Los Angeles; University of Oregon; Oregon State University; University of

Southern California; Stanford University; University of Washington; Washington State University.

Intent: To establish a maximum amount (\$800) for tuition and fees in the equivalency computational method and to permit member institutions to subsidize any tuition over the amount without the subsidy being counted in the equivalency calculation. [See Appendix B for examples of the equivalency calculation.]

Effective Date: Immediately; for those student-athletes first entering member institutions in the opening term (semester or quarter) of the 1979-80 academic year and for all renewals of financial aid applicable to that term.

Action: Defeated by Divisions I and II.

NO. 83 MAXIMUM AWARDS—ICE HOCKEY

Bylaws: Amend Article 5, Section 5, pages 75-77, by adding new paragraph (i), as follows:

[Divided bylaw, Divisions I and II, divided vote]

“(i) When a student-athlete in the sport of ice hockey joins his nation’s Olympic hockey team, his financial aid award shall be considered vacated and shall be available for immediate award to another student-athlete in that sport without counting as an additional award under the provisions of Bylaws 5-5-(b) and (f). Upon re-enrollment of the student-athlete, his award may be renewed without counting in the award limitations in ice hockey set forth in Bylaws 5-5-(b) and (f).”

Source: Colorado College; University of Minnesota, Duluth; University of Denver; Michigan Technological University; Michigan State University; University of Minnesota, Twin Cities.

Intent: To exempt from the ice hockey award limitations in Divisions I and II an award reassigned when a student-athlete leaves the institution to join his nation’s Olympic hockey team and the award granted to that student-athlete when he re-enrolls at the institution.

Effective Date: Immediately.

Action: Defeated by Divisions I and II.

Championships

NO. 84 TERMINAL CHAMPIONSHIPS

A. Executive Regulations: Amend Regulation 2, Section 2, pages 113-114, by deleting paragraph (c) and subparagraphs (1) through (7), as follows:

[All divisions, common vote]

“(c) Division II and Division III institutions may enter student-athletes in National Collegiate (Division I) Championship meets and tournaments, provided the

institution and individuals meet the prevailing eligibility requirements and the following individual criteria of successful performance in the particular Division II or Division III championships:

“(1) Cross Country—first six finishers in Division II and first four finishers in Division III.

“(2) Golf—first four finishers in Division II and first two finishers in Division III. In the event of a tie for any of these positions, a sudden-death playoff shall be held immediately to determine which athletes may advance.

“(3) Gymnastics—first two finishers in each event and first two finishers in all-around competition in Division II.

“(4) Swimming—first four finishers in each Division II event and first two finishers in each Division III event, provided they meet the minimum performance standards established by the Swimming Committee.

“(5) Tennis—first four finishers in singles and first four finishers in doubles in Division II, and first two finishers in singles and first two finishers in doubles in Division III.

“(6) Outdoor Track—first four finishers in each Division II event and first two finishers in each Division III event, provided they meet the minimum performance standards established by the Track and Field Committee.

“(7) Wrestling—champion in each weight classification in Division II and Division III, plus additional at-large selections from the respective tournaments as may be recommended annually by the Wrestling Committee and approved by the Executive Committee.”

B. Bylaws: Amend Article 8, Section 6, page 89, by deleting paragraph (d), as follows:

[Common bylaw, all divisions, divided vote]

“(d) Student-athletes from members of Division II or Division III who qualify to compete in the National Collegiate Championships in accordance with the provisions of Executive Regulation 2-2-(c) shall be required to meet all institutional and individual eligibility requirements of Division I, including academic standards for initial participation.”

Source: NCAA Council (Divisions II and III Steering Committees).

Intent: To establish terminal championships in Divisions II and III by deleting those provisions which permit Divisions II and III to enter student-athletes in the National Collegiate (Division I) Championships.

Effective Date: August 1, 1979.

Action: Defeated.

NO. 85 DIVISION III WOMEN’S CHAMPIONSHIPS

Bylaws: Amend Article 4, Section 6, pages 70-71, by adding the following:

[Division III only]

“The National Collegiate Division III Women’s Basketball Championship

“The National Collegiate Division III Women’s Field Hockey Championship

“The National Collegiate Division III Women’s Swimming Championships

"The National Collegiate Division III Women's Tennis Championships"

"The National Collegiate Division III Women's Volleyball Championship"

Source: Franklin and Marshall College, Dickinson College, Albright College, Elizabethtown College, Lebanon Valley College, Johns Hopkins University, Muhlenberg College.

Intent: To establish Division III women's championships in the sports of basketball, field hockey, swimming, tennis and volleyball.

Effective Date: Immediately; first championships to be conducted in March 1980 (basketball, swimming), June 1980 (tennis) and November 1980 (field hockey, volleyball). [Note: Proposals regarding playing rules and administrative committees for these championships will be submitted at the 1980 NCAA Convention.]

Action: Defeated by Division III.

NO. 86 RIFLE CHAMPIONSHIPS

A. Bylaws: Amend Article 4, Section 6, pages 70-71, by adding the following:

[Divided bylaw, all divisions, divided vote]

"The National Collegiate Rifle Championships"

B. Bylaws: Amend Article 10, Section 5, pages 102-106, by adding new paragraph (i), relettering subsequent paragraphs, as follows:

[Common bylaw, all divisions, divided vote]

"(i) The Rifle Committee shall consist of six members. The chairman may designate a secretary-rules editor from among the membership of the committee."

Source: Appalachian State University; The Citadel; Davidson College; East Tennessee State University; Furman University; Marshall University; University of Tennessee; Chattanooga; Virginia Military Institute; Western Carolina University.

Intent: To establish the National Collegiate Rifle Championships and a Rifle Committee to administer that championship and formulate the official collegiate rules in the sport of rifle.

Effective Date: Immediately; first championship to be conducted in March 1980.

Action: Ruled out of order after it was approved by Division I (131-98) but defeated by Division II (45-58) and Division III (43-77), inasmuch as the only division wishing to establish the rifle championships did not have the required 45 institutions sponsoring rifle as a varsity intercollegiate sport. As a replacement action, the NCAA council sponsored a resolution establishing a pilot championship for rifle. See No. 134.

NO. 87 DIVISION III LACROSSE CHAMPIONSHIP

Bylaws: Amend Article 4, Section 6, pages 70-71, by adding the following:

[Division III only]

"The National Collegiate Division III Lacrosse Championship"

Source: Fairleigh-Dickinson University, Madison; Clarkson College; Denison University; Kean College; Lebanon Valley College; Montclair State College; Muhlenberg College.

Intent: To establish a Division III Lacrosse Championship.

Effective Date: Immediately; first championship to be conducted in May 1980.

Action: Approved by Division III.

NO. 88 DIVISION I AUTOMATIC QUALIFICATION

Bylaws: Amend Article 4, Section 7, page 73, as follows:

[Division I only]

"Section 7. Conference Eligibility. For a conference to be eligible for automatic qualification into any National Collegiate Championship in a sport in which more than one divisional championship is offered, it must **meet all requirements set forth in Executive Regulation 2-5. In the sport of basketball, it must** be an allied conference which determines a conference champion in at least six sports, *including football or basketball*, **and its basketball champion must be determined** either by *regular round-robin*, inseason conference competition *or* a postseason tournament **or by double round-robin, inseason conference competition.** A conference which had automatic qualification in Division I as of *January 12, 1977, January 10, 1979*, shall conform to these criteria no later than *January 1 August 1, 1981.* A conference which applies for automatic qualification subsequent to *January 12, 1977, January 10, 1979*, must meet the criteria prior to making application.

"O.I. 402. To determine a conference champion under this legislation, at least six of the conference's member institutions must be classified in Division I in the sport in which Division I automatic qualification is sought; further, **for those conferences seeking automatic qualification in the sport of basketball under this legislation**, in each of the six sports in which a conference champion is determined *under this legislation*, at least six of the conference's member institutions must sponsor the sport on the varsity intercollegiate level.

"O.I. 403. **If an allied conference subdivides to conduct divisional competition in basketball and one or more subdivisions seek automatic qualification, then the subdivision(s) must be an allied member and satisfy the other requirements of this legislation; however, it is not necessary that it subdivide in all of the sports in which it determines a conference champion for purposes of qualifying for automatic qualification in the sport of basketball.**"

Source: NCAA Council and NCAA Executive Committee. (Subcommittee on Championship Standards).

Intent: To eliminate, except in the sport of basketball, the requirement that a conference must conduct championships in six sports in order to qualify for automatic qualification in Division I championships; to specify that a conference desiring Division I automatic qualification in the sport of basketball must conduct either round-robin, regular-season competition and a postseason meet or tournament or must conduct double round-robin, regular-season competition in that sport; to provide that current Division I automatic qualifying conferences have until August 1, 1981, to comply with these requirements.

Effective Date: Immediately.

Action: Approved by Division I.

NO. 89 DIVISION I ELIGIBILITY

Bylaws: Amend Article 4, Section 6-(c), pages 71-72, as follows:

[Division I only]

"(c) A Division I institution which has not operated in conformity for a period of two years with the requirements of Bylaw 4-6-(b) at the time it certifies conformance with the regulation shall be ineligible for NCAA championships **in the sport(s) in which it is not in conformance and, in the sport of football, for** appearances on the NCAA national television series until it can show conformity **in the sport(s) involved** for a period of two years. A Division II or Division III institution petitioning the Classification Committee for Division I institutional membership or eligibility in one sport (in accordance with Bylaws 8-3 and 8-4) must have operated in conformity with the requirements of Bylaw 4-6-(b) for two years preceding the effective date of its Division I membership or be ineligible for Division I championships and the NCAA national football television series until it can show conformity for a period of two years."

Source: Texas Southern University; Alcorn State University; Grambling State University; Jackson State University; Southern University, Baton Rouge; Florida A&M University.

Intent: To apply the provisions of this paragraph on a sport-by-sport basis, thus permitting an institution's teams which are in conformity with the 2,000 rule to be eligible for the Division I championships in those sports.

Effective Date: Immediately.

Action: Withdrawn.

NO. 90 COMPETITION ON THE SABBATH

Executive Regulations: Amend Regulation 2, Section 12-(c), pages 122-123, as follows:

[All divisions, common vote]

"(c) NCAA championship competition may be scheduled or

conducted on *Sunday* **the Sabbath**, provided the governing sports committee has received the prior approval of the Executive Committee.

"(1) If an emergency develops which causes postponement of an NCAA championship, or if the competitive situation dictates a more expeditious completion of the meet or tournament, *Sunday* competition may be permitted **on the Sabbath**, provided the competing institutions are agreeable and advance approval is obtained from the NCAA officers.

"(2) If a participating institution has a policy against *Sunday* competition **competing on the Sabbath**, the tournament schedule shall be adjusted to accommodate that institution; and such adjustment shall not require its team or an individual competitor to play prior to the time originally scheduled.

[Subparagraph (3) unchanged.]

"(4) In individual championships, an athlete *must compete according to* **shall be governed by** his institution's policy regarding *Sunday* competition **competing on the Sabbath**; i.e., if the institution has no policy against *Sunday* competition **competing on the Sabbath**, the athlete must compete on *Sunday* **the Sabbath** if required by the schedule.

"(5) An institution which has a policy against *Sunday* competition **competing on the Sabbath** must inform the games committee prior to the beginning of the meet or tournament in order for it or one of its student-athletes to be excused from competing on *Sunday* **the Sabbath**."

Source: NCAA Executive Committee (Fencing Committee).

Intent: To permit Saturday as well as Sunday to be included in the definition of the Sabbath to accommodate institutions, particularly Jewish Orthodox, which object to Saturday competition.

Effective Date: Immediately.

Action: Defeated.

Recruiting

NO. 91 RECRUITING CONTACTS

Bylaws: Amend Article 1, Section 2-(a), pages 40-41, by deleting subparagraph (1), renumbering subsequent subparagraphs, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(1) No more than three such contacts per prospective student-athlete, which shall include contacts with his relatives or legal guardian, shall be permitted by any single institution."

Source: Florida State University; Georgia Institute of Technology; University of Houston; Kansas State University; University of Mississippi; University of North Carolina, Chapel Hill; Oklahoma State University; Syracuse University; Texas Tech University;

Vanderbilt University, San Diego State University; University of Texas, El Paso; Bradley University; Creighton University; Indiana State University, Terre Haute; Southern Illinois University, Carbondale; University of Tulsa; Wichita State University.

Intent: To delete the three-contact recruiting limitation.

Effective Date: Immediately.

Action: Defeated by Divisions I and II.

NO. 92 RECRUITING CONTACTS

Bylaws: Amend Article 1, Section 2-(a)-(1), page 40, as follows:

[Division I-A football only]

"(1) No more than three such contacts per prospective student-athlete, which shall include contacts with his relatives or legal guardian, shall be permitted by any single institution, **except that this limitation shall not apply to contacts with prospective student-athletes in the sport of football by institutions classified Division I-A in that sport.**"

Source: Florida State University; Georgia Institute of Technology; University of Houston; Kansas State University; University of Mississippi; University of North Carolina, Chapel Hill; Oklahoma State University; Syracuse University; Texas Tech University; Vanderbilt University; San Diego State University; University of Texas, El Paso.

Intent: To specify that the three-contact recruiting limitation shall not apply to contacts with football prospects by Division I-A institutions.

Effective Date: Immediately.

Action: Defeated by Division I-A football.

NO. 93 RECRUITING CONTACTS

Bylaws: Amend Article 1, Section 2-(a)-(1), page 40, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(1) No more than three such contacts per prospective student-athlete **prior to and on the occasion on which the prospect signs the National Letter of Intent**, which shall include contacts with his relatives or legal guardian, shall be permitted by any single institution. **Subsequent to the occasion of the National Letter of Intent signing, there shall be no limit on such contacts with the prospect, his relatives or legal guardian by the institution with which the prospect has signed.**"

Source: NCAA Council (Recruiting Committee).

Intent: To specify that the institution with which a prospect signs the National Letter of Intent is not limited in its recruiting contacts with him after the signing.

Effective Date: August 1, 1979.

Action: Approved by Divisions I and II.

NO. 94 RECRUITING-TELEVISION APPEARANCES

Bylaws: Amend Article 1, Section 3-(b), page 42, as follows:

[Divided bylaw, all divisions, divided vote]

"(b) **A member institution shall not permit a prospective student-athlete or a high school, college preparatory school or junior college coach** may not to appear on a radio or television program conducted by the **member institution's coach** of an NCAA member institution, a program in which the **NCAA institution's coach** is participating or a program for which a member of the athletic staff of the **NCAA institution** has been instrumental in arranging the **prospect's appearance of the prospect or coach** or related program material. This prohibition applies to the **prospect's appearances in person or via film or video tape.**"

Source: NCAA Council.

Intent: To prohibit appearances by high school, college preparatory school or junior college coaches on a college coach's television program and to affirm the responsibility of the member institution to assure compliance with the provisions of this paragraph.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 95 TRYOUT RULE

Bylaws: Amend Article 1, Section 5-(a), pages 43-44, as follows:

[Division II only]

"(a) No member institution, on its campus or elsewhere, shall conduct or have conducted in its behalf any athletic practice session, tryout or test at which one or more prospective student-athletes reveal, demonstrate or display their abilities in any phase of any sport, **except that during each academic year a Division II member institution may conduct one tryout (not to exceed a 48-hour period) on its campus for each of the sports in its intercollegiate athletic program, provided that no enrolled student-athletes participate in such tryouts, and the involved prospective student-athletes are responsible for the payment of personal expenses related to their participation in the tryouts.**"

Source: Saint Leo College, Florida Southern College, Florida Technological University, Eckerd College, Biscayne College, Rollins College, University of Tampa.

Intent: To reduce recruiting expenses by permitting Division II institutions to conduct tryouts under certain conditions in each sport.

Effective Date: Immediately.

Action: Withdrawn.

Eligibility

NO. 96 SATISFACTORY PROGRESS

Constitution: Amend Article 3, Section 3-(c), page 15, as follows:

[All divisions, common vote]

"Section 3. Principle of Sound Academic Standards. A student-athlete shall not represent his institution in intercollegiate competition unless:

[Paragraphs (a) and (b) unchanged.]

"(c) He is enrolled in at least a minimum full-time program of studies and is maintaining satisfactory progress toward a baccalaureate or equivalent degree as determined by the regulations of that institution, except that a for a minimum of 12 semester or 12 quarter hours. To be eligible for competition in his second year, the student-athlete must have passed 24 semester or 36 quarter hours in the preceding academic year, including summer school; for the third year, 48 semester or 72 quarter hours in the two preceding academic years, including summer school; for the fourth year, 72 semester or 108 quarter hours in the three preceding academic years, including summer school, and for the fifth year, 96 semester or 114 quarter hours in the four preceding academic years, including summer school.

"(1) A student-athlete who is enrolled in less than a minimum full-time program of studies and has athletic eligibility remaining may participate if he is enrolled in his final semester or quarter of his baccalaureate program, and his institution certifies that he is carrying for credit the courses necessary to complete his degree requirements as determined by the faculty of his institution.

"(2) Further, a A student-athlete who has received his baccalaureate or equivalent degree and who is enrolled in the graduate or professional school of the institution he attended as an undergraduate, or who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, may participate in intercollegiate athletics provided he has athletic eligibility remaining and such participation occurs within five years after initial enrollment in a collegiate institution."

Source: University of Cincinnati, Florida State University, University of Louisville, Memphis State University, St. Louis University, Virginia Institute of Technology.

Intent: To specify minimum academic eligibility requirements for satisfactory progress toward a baccalaureate degree.

Effective Date: Immediately.

Action: Withdrawn.

NO. 96-1 SATISFACTORY PROGRESS

Constitution: Amend proposal No. 96; Constitution 3-3-(c), as follows:

[All divisions, common vote]

"(c) He is enrolled for a minimum of 12 semester or 12 quarter hours. To be eligible for competition in his second year, the student-athlete must have passed 24 semester or 36 quarter hours in the preceding academic year, including summer school; for the third year, 48 semester or 72 quarter hours in the two preceding academic years, including summer school; for the fourth year, 72 semester or 108 quarter hours in the three preceding academic years, including summer school, and for the fifth year, 96 semester or 114 quarter hours in the four preceding academic years, including summer school **succeeding academic years, the student-athlete must have passed 24 semester or 36 quarter hours in the immediate preceding academic year, including summer school.** The calculation shall be made at the beginning of the autumn academic period. For a student entering at the beginning of the second semester or second or third quarter, the calculation shall be prorated at 12 units per period. This progress rule shall not apply to those student-athletes with no previous competition in that sport.

"(1) A student-athlete who has not met the above requirement may become eligible by passing a minimum of 24 semester or 36 quarter hours between the student-athlete's seasons of competition in the same sport. This exception may be utilized only once. If the student-athlete competed at a nonmember institution prior to enrolling at a member institution, this exception may be used, but not during the student-athlete's initial year of attendance at a member institution."

[Renumber subparagraphs (1) and (2).]

Source: Pacific-10 Conference.

Action: Not considered due to withdrawal of No. 96.

NO. 97 HIGH SCHOOL ALL-STAR GAMES

Constitution: Amend Article 3, Section 9-(b), page 21, as follows:

[All divisions, common vote]

"(b) He shall be denied his first year of intercollegiate athletic competition if, following his graduation from **completion of his high school eligibility in his sport** and before his enrollment in college, he was a member of a squad which engaged in any all-star football or basketball contest which was not specifically approved by the appropriate state high school athletic association or, if interstate, by the National Federation of State High School Associations or all of the state high school athletic associations involved, **or if he participates in more than two approved all-star football contests or two approved all-star basketball contests.** The Council of the Association may designate a committee to act in place of any state association which declines to assume the jurisdiction described in this paragraph."

Source: Ball State University, Bowling Green State University, Central Michigan University, Eastern Michigan University, Kent

State University, Miami University (Ohio), Ohio University, Northern Illinois University, University of Toledo, Western Michigan University.

Intent: To limit a high school senior who has completed his eligibility in football or basketball to participation in not more than two all-star football or basketball contests prior to his enrollment in college.

Effective Date: August 1, 1979.

Action: Withdrawn.

NO. 98 SUMMER BASKETBALL LEAGUES

A. Constitution: Amend Article 3, Section 9-(c)-(1)-(i), page 22, as follows:

[All divisions, common vote]

“(i) No member team shall include on its roster more than *one* **two** players with intercollegiate eligibility remaining in the sport of basketball from any one college, university or junior college.”

B. Constitution: Amend Article 3, Section 9-(c)-(1)-(iv), page 22, as follows:

[All divisions, common vote]

“(iv) All players must limit their competition to one team in one league **at any one time.**”

C. Constitution: Amend Article 3, Section 9-(c)-(1)-(viii), page 22, as follows:

[All divisions, common vote]

“(viii) League play must be within *100* **200** miles of the student-athlete's official residence or within *100* **200** miles of the institution the student-athlete attends.”

Source: Albright College, Franklin and Marshall College, Elizabethtown College, Lycoming College, Lebanon Valley College, Dickinson College, Susquehanna University, Philadelphia College of Textiles and Science,

Intent: To permit two players from the same institution to participate on a team in a summer basketball league; to allow a player in a summer league to participate in more than one league, although not at the same time; to increase from 100 to 200 miles the limitation on location of league play in relation to the student-athlete's institution or official residence.

Effective Date: Immediately.

Action: Defeated.

NO. 99 SUMMER BASKETBALL LEAGUES

Constitution: Amend Article 3, Section 9-(c)-(1)-(vii), page 22, as follows:

[All divisions, common vote]

“(vii) No *postseason* **Postseason** playoffs or tournaments shall

be permitted, **provided such playoffs or tournaments involve intraleague competition and are completed by August 31.**”

Source: NCAA Council.

Intent: To permit a summer basketball league to conduct a postseason playoff or tournament involving only members of that league, with such competition to be completed by the end of the permissible summer league period.

Effective Date: Immediately.

Action: Approved, 282-106.

NO. 100 OUTSIDE BASKETBALL COMPETITION

Constitution: Amend Article 3, Section 9-(c)-(4), page 22, as follows:

[All divisions, common vote]

“(4) The Council shall have the authority to waive this provision by a two-thirds majority of its members present and voting to permit student-athletes to participate in official Pan American tryouts and competition, to participate in officially recognized competition directly qualifying participants for final Olympic tryouts, to participate in the United States against United States national teams, **to participate in officially recognized state and national multisport events sanctioned by the Council** or to participate in other international competition approved by the Department of State of the U.S. Government and sanctioned by the Council of the Association. Request for Council sanction must be made by the institution at least 30 days prior to that competition.”

Source: State University College, Plattsburgh; St. John's University (New York); Syracuse University; Manhattan College; State University of New York, Albany; State University of New York, Buffalo; State University College, Cortland.

Intent: To permit student-athletes to participate in basketball competition included in state and national multisport events sanctioned by the Council (e.g., Empire State Games).

Effective Date: Immediately.

Action: Approved.

NO. 101 OUTSIDE BASKETBALL COMPETITION

Constitution: Amend Article 3, Section 9-(c)-(4), page 22, as follows:

[All divisions, common vote]

“(4) The Council shall have the authority to waive this provision by a two-thirds majority of its members present and voting to permit student-athletes to participate in official Pan American tryouts and competition, to participate in officially recognized competition directly qualifying participants for final Olympic tryouts, to participate in the United States against United States national teams **or in developmental basketball competition which is sponsored during the summer vacation period by the United States Olympic Committee in conjunc-**

tion with similar competition in other Olympic sports and involves participants selected on a national basis, or to participate in other international competition approved by the Department of State of the U.S. Government and sanctioned by the Council of the Association. Request for Council sanction must be made by the institution at least 30 days prior to that competition."

Source: NCAA Council.

Intent: To permit student-athletes to participate in the basketball competition sponsored by the USOC during the National Sports Festival or in the USOC-sponsored developmental competition which takes place under the prescribed conditions.

Effective Date: Immediately.

Action: Moot due to approval of No. 100.

NO. 102 OUTSIDE COMPETITION

Constitution: Amend Article 3, Section 9-(d), pages 22-23, as follows:
[All divisions, common vote]

"(d) He shall be denied eligibility for intercollegiate competition in his sport for the duration of the season if, following his enrollment in college and during any year in which he is a member of an intercollegiate squad or team, he competes or has competed as a member of any outside team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) in his sport, other than the official Olympic Games and the final tryouts therefor, during his institution's intercollegiate season. **A student-athlete may compete in one game a year in his sport involving players from his former high school and its alumni team, provided such competition takes place during an official vacation period of his institution's academic year.**"

Source: Columbia University; Rutgers University, New Brunswick; LeMoyne College; St. John's University (New York); Pratt Institute; American International College.

Intent: To provide one opportunity per academic year for a student-athlete to compete in outside competition in any sport, similar to the provisions of Constitution 3-9-(c)-(3) in basketball.

Effective Date: Immediately.

Action: Approved as amended by No. 102-1.

NO. 102-1 OUTSIDE COMPETITION

Constitution: Amend proposal No. 102; Constitution 3-9-(d), as follows:

[All divisions, common vote]

"(d) He shall be denied eligibility for intercollegiate competition in his sport for the duration of the season if, following his enrollment in college and during any year in which he is a member

of an intercollegiate squad or team, he competes or has competed as a member of any outside team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) in his sport, other than the official Olympic Games and the final tryouts therefor, during his institution's intercollegiate season, **except that a student-athlete may compete in one game a year during his institution's intercollegiate season in his sport involving players from his former high school and its alumni team, provided such competition takes place during an official vacation period of his institution's academic year.**"

Source: Eastern College Athletic Conference.

Action: Approved.

NO. 103 TRANSFER RULE-DIVISIONS II AND III

Bylaws: Amend Bylaw 4-1-(j)-(8) and (9), pages 64-65, as follows:

[Divided bylaw, Divisions II and III, divided vote]

"(8) A transfer student from a junior college who was a 2.000 qualifier is not eligible for any NCAA championships the first academic year in residence unless he has:

[Subparagraphs (i) and (ii) unchanged.]

"(9) A transfer student from a junior college who was a 2.000 nonqualifier is not eligible in Division I institutions for financial aid, practice and regular-season competition and for all NCAA championships the first academic year unless he has:

"(i) Graduated from the junior college, or

"(ii) Presented a minimum of 48 semester hours or 72 quarter hours of transferable degree credit with an accumulative minimum grade-point average of 2.000 and spent at least two academic years (four semesters or six quarters) in residence at the junior college (excluding summer sessions), or

"(iii) Presented a minimum of 36 semester hours or 48 quarter hours of transferable degree credit with an accumulative grade-point average of 2.250 and spent at least three semesters or four quarters in residence at the junior college (excluding summer sessions), or

"(iv) Presented a minimum of 24 semester hours or 36 quarter hours of transferable degree credit with an accumulative grade-point average of 2.500 and spent at least two semesters or three quarters in residence at the junior college (excluding summer sessions)."

Source: LeMoyne College, American International College, Assumption College, Springfield College, Central Connecticut State College, Indiana University of Pennsylvania.

Intent: To provide a single junior college transfer regulation in Divisions II and III, deleting any reference to the 2.000 rule inasmuch as that rule is not applicable to incoming freshmen at Divisions II and III institutions.

Effective Date: Immediately.

Action: Approved by Divisions II and III.

NO. 104 ELIGIBILITY—2.000 RULE

A. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I only]

“(j) He must conform to the following eligibility provisions for all division championships and in Division I for regular-season competition **and practice and athletically related financial aid** as indicated.

“[Note: A 2.000 ‘qualifier’ as used herein is defined as one who is a high school graduate and at the time of his graduation from high school presented an accumulative six, seven or eight semesters’ minimum grade-point average of 2.000 **2.250** (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence **achieved a minimum ACT score of 17 or a minimum SAT score of 750.**”]

[Note: Necessary editorial changes will be made to delete references to 2.000 rule as it relates to Division I in subsequent paragraphs.]

B. Bylaws: Amend Article 4, Section 6-(b), page 71, as follows:

[Division I only]

“(b) A Division I member institution shall not be eligible to enter a team or individual competitors in an NCAA-sponsored meet or tournament unless the institution limits its *athletically related scholarship or grant-in-aid awards and eligibility* for participation in intercollegiate athletics **or and** in organized athletic practice sessions to those student-athletes who meet the applicable requirements of Bylaw 4-1-(j)-(1), (2), (3), (4), (5), (6) and (9). The eligibility of the student-athletes described in Bylaw 4-1-(j)-(7) and (8) for *such aid*, practice and participation shall be determined by the transfer and eligibility rules of the institution and its athletic conference.

“(1) If a student reports for practice or competition before his *high school grade-point average status as a qualifier* has been certified, he may practice but not compete for a maximum of two weeks. After this two-week period, the student must *have an established minimum high school grade-point average of 2.000* **be certified as a qualifier** to continue practicing or to compete.”

C. Bylaws: Amend Article 4, Section 1-(j)-(8) and (9), pages 64-65, as follows:

[Divided bylaw, Divisions II and III, divided vote]

“(8) A transfer student from a junior college who was a 2.000 qualifier is not eligible for any NCAA division championships the first academic year in residence unless he has:

[Subparagraphs (i) and (ii) unchanged.]

“(9) A transfer student from a junior college who was a 2.000 nonqualifier is not eligible in Division I institutions for financial aid, practice and regular-season competition and for all NCAA division championships the first academic year unless he has:

[Subparagraphs (i), (ii), (iii) and (iv) unchanged.]

Source: Auburn University; University of Arkansas, Fayetteville; Clemson University; University of Colorado; University of Missouri, Columbia; University of North Carolina, Chapel Hill; Pennsylvania State University; Tulane University; Texas Christian University; Vanderbilt University; University of Wyoming; University of Utah.

Intent: To replace the 2.000 rule with an eligibility regulation based on three alternatives (high school grade-point average, or ACT or SAT test score) and to limit the application of this regulation to practice and participation but not to financial aid.

Effective Date: August 1, 1980; for those student-athletes first entering member institutions in the opening term (semester or quarter) of the 1980-81 academic year.

Action: Parts A and B defeated by Division I as amended by No. 104-1, 89-151. Part C moot due to approval of No. 103.

NO. 104-1 ELIGIBILITY—2.000 RULE

A. Bylaws: Amend proposal No. 104-A; Bylaw 4-1-(j), as follows:

[Division I only]

“(j) He must conform to the following eligibility provisions for all divisional championships and in Division I for regular-season competition, **and practice and athletically related financial aid** as indicated.”

B. Bylaws: Amend proposal No. 104-B; Bylaw 4-6-(b), as follows:

[Division I only]

“(b) A Division I member institution shall not be eligible to enter a team or individual competitors in an NCAA-sponsored meet or tournament unless the institution limits its **athletically related scholarship or grant-in-aid awards and eligibility** for participation in intercollegiate athletics **and or** in organized athletic practice sessions to those student-athletes who meet the applicable requirements of Bylaw 4-1-(j)-(1), (2), (3), (4), (5), (6) and (9). The eligibility of the student-athletes described in Bylaw 4-1-(j)-(7) and (8) for **such aid**, practice and participation shall be determined by the transfer and eligibility rules of the institution and its athletic conference.”

Source: NCAA Council.

Action: Approved by Division I.

NO. 105 ELIGIBILITY—2.000 RULE

A. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I only]

“(j) He must conform to the following eligibility provisions for all championships and in Division I for regular-season competition, practice and athletically related financial aid as indicated.

“[Note: A 2.000 qualifier as used herein is defined as one who is

a high school graduate and at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 **2.250** (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 **2.250** after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]"

B. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I only]

"(j) He must conform to the following eligibility provisions for all championships and in Division I for regular-season competition, practice and athletically related financial aid as indicated.

"[Note: A 2.000 qualifier as used herein is defined as one who is a high school graduate and **achieved a minimum ACT score of 17**, at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]"

C. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I only]

"(j) He must conform to the following eligibility provisions for all championships and in Division I for regular-season competition, practice and athletically related financial aid as indicated.

"[Note: A 2.000 qualifier as used herein is defined as one who is a high school graduate and **achieved a minimum SAT score of 750**, at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]"

D. Bylaws: Amend Article 4, Section 1-(j)-(8) and (9), pages 64-65, as follows:

[Divided bylaw, Divisions II and III, divided vote]

"(8) A transfer student from a junior college who was a 2.000 qualifier is not eligible for any NCAA championships the first academic year in residence unless he has:

[Subparagraphs (i) and (ii) unchanged.]

"(9) A transfer student from a junior college who was a 2.000 nonqualifier is not eligible in Division I institutions for financial aid, practice and regular-season competition and for all NCAA divisional championships the first academic year in residence unless he has:"

[Subparagraphs (i), (ii), (iii) and (iv) unchanged.]

Source: NCAA Council (Division I Steering Committee, Academic Testing and Requirements Committee).

Intent: To replace the 2.000 rule with an eligibility regulation based on one of three alternatives (high school grade-point average of 2.250, ACT score of 17 or SAT score of 750). [Note: Necessary editorial changes will be made to delete references to 2.000 rule as it relates to Division I in other paragraphs, including Bylaw 4-6-(b)-(1).]

Effective Date: August 1, 1979.

Action: Part A defeated by Division I as amended by No. 105-1 and No. 105-2. Entire proposal then referred to Academic Testing and Requirements Committee.

NO. 105-1 2.000 RULE

A. Bylaws: Amend proposal No. 105-A; Bylaw 4-1-(j), as follows:
[Division I only]

"[Note: A qualifier as used herein is defined as one who is a high school graduate and at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.250 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.250 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence., **or**]"

B. Bylaws: Amend proposal No. 105-B; Bylaw 4-1-(j), as follows:
[Division I only]

"[Note: A **2.000** qualifier as used herein is defined as one who is a high school graduate and achieved a minimum ACT score of 17., **or**]"

C. Bylaws: Amend proposal No. 105-C, Bylaw 4-1-(j), as follows:
[Division I only]

"[Note: A **2.000** qualifier as used herein is defined as one who is a high school graduate and achieved a minimum SAT score of 750.]"

Source: NCAA Council.

Action: Approved by Division I.

NO. 105-2 ELIGIBILITY-2.000 RULE

Bylaws: Amend proposal No. 105; Bylaw 4-1-(j), as follows:
[Division I only]

"Effective Date: August 1, 1979 **1980.**"

Source: Furman University, The Citadel, Davidson College, Virginia Military Institute, Western Carolina University, Marshall University, East Tennessee State University.

Action: Approved by Division I.

NO. 106 2.000 RULE—DIVISION I-A FOOTBALL

A. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I-A football only]

“(j) He must conform to the following eligibility provisions for all championships and in Division I-A football for regular-season competition, practice and athletically related financial aid **in the sport of football** as indicated.

“[Note: a 2.000 qualifier as used herein is defined as one who is a high school graduate and at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 **2.250** (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]”

B. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I-A football only]

“(j) He must conform to the following eligibility provisions for all championships and in Division I-A Football for regular-season competition, practice and athletically related financial aid **in the sport of football** as indicated.

“[Note: A 2.000 qualifier as used herein is defined as one who is a high school graduate and **achieved a minimum ACT score of 17**, at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]”

C. Bylaws: Amend Article 4, Section 1-(j), page 63, as follows:

[Division I-A football only]

“(j) He must conform to the following eligibility provisions for all championships and in Division I-A football for regular-season competition, practice and athletically related financial aid **in the sport of football** as indicated.

“[Note: A 2.000 qualifier as used herein is defined as one who is a high school graduate and **achieved a minimum SAT score of 750**, at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.000 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.000 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school or preparatory school transcript or by official correspondence.]”

D. Bylaws: Amend Article 4, Section (j)-(1) through (9), pages 63-65, as follows:

[Division I-A football only]

“(1) An entering freshman with no previous college attendance who matriculated as a 2.000 qualifier in a Division I-A Football

institution shall be eligible for financial aid, regular-season competition and practice **in the sport of football** based only upon institutional and conference regulations.

“(2) An entering freshman with no previous college attendance who matriculated as a 2.000 nonqualifier in a Division I-A football institution and whose matriculation was solicited per O.I. 100 shall not be eligible for financial aid, regular-season competition and practice **in the sport of football** during the first academic year in residence.

“(3) An entering freshman with no previous college attendance who matriculated as a 2.000 nonqualifier in a Division I-A football institution and whose matriculation was not solicited per O.I. 100 shall not be eligible for regular-season competition and practice **in the sport of football** during the first academic year in residence; however, such a student whose admission and financial aid were granted without regard in any degree to athletic ability shall be eligible for nonathletic financial aid, provided there is on file in the office of the director of athletics certification by the faculty representative, the admissions officer and the chairman of the financial aid committee that admission and financial aid were so granted.

[Subparagraph (4) unchanged.]

“(5) A transfer student from a four-year institution, who was a 2.000 qualifier or a 2.000 nonqualifier who attended a four-year institution at least one academic year, shall be eligible for financial aid, regular-season competition and practice **in the sport of football** in a Division I-A football institution under the rules of the institution and the conference of which the institution is a member.

“(6) A transfer student from a four-year institution who was a 2.000 nonqualifier and attended the four-year institution less than one full academic year shall not be eligible for financial aid, regular-season competition and practice **in the sport of football** in a Division I-A football institution during his first academic year in attendance at the certifying institution.

“(7) A transfer student from a four-year institution shall not be eligible for any NCAA championship **regular-season or postseason competition in the sport of football** until he has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters), and one full calendar year has elapsed from the first regular registration and attendance date at the certifying Division I-A football or Division II institution. At a Division III institution, eligibility is not permitted for one calendar year from his official withdrawal date from his previous institution.

[Subparagraphs (i) and (ii) unchanged.]

“(8) A transfer student from a junior college who was a 2.000 qualifier is not eligible for any NCAA championships **regular-season or postseason competition in the sport of football** the first academic year in residence **at the certifying Division I-A football institution** unless he has:

[Subparagraphs (i) and (ii) unchanged.]

"(9) A transfer student from a junior college who was a 2.000 nonqualifier is not eligible in Division I-A football institutions for financial aid, practice and regular-season or postseason competition in the sport of football and for all NCAA championships the first academic year unless he has:"

[Subparagraphs (i), (ii), (iii) and (iv) and O.I. 400 unchanged.]

Source: Auburn University; University of Arkansas, Fayetteville; Clemson University; University of Colorado; University of Missouri, Columbia; University of North Carolina, Chapel Hill; Pennsylvania State University; Tulane University; Texas Christian University; Vanderbilt University; University of Wyoming; University of Utah.

Intent: To replace the 2.000 rule with an eligibility regulation based on three alternatives (high school grade point average, or ACT or SAT test score) for the sport of football in Division I-A Football only.

Effective Date: August 1, 1980; for those student-athletes in the sport of football first entering member institutions in the opening term (semester or quarter) of the 1980-81 academic year.

Action: Parts B and C withdrawn. Parts A and D referred to Academic Testing and Requirements Committee.

NO. 107 SEASONS OF COMPETITION

Bylaws: Amend Article 4, Section 1-(d), pages 61-62, by adding new paragraph (3), renumbering subsequent paragraphs, as follows:

[Divided bylaw, all divisions, divided vote]

"(3) Any participation by a student as an individual or as a representative of any team in organized competition in a sport during each 12-month period after his 20th birthday and prior to his matriculation at a member institution shall count as one year of varsity competition in that sport."

Source: NCAA Council.

Intent: To equate the competitive experience of individuals participating in NCAA championships in that any season of participation after their 20th birthdays, whether in the intercollegiate varsity programs of member institutions or in other organized athletic competition, shall count as a season of competition.

Effective Date: August 1, 1979.

Action: Defeated by all divisions.

NO. 108 SEASONS OF COMPETITION

Bylaws: Amend Article 4, Section 1-(d), page 61, as follows:

[Division I only]

"(d) He must not have engaged previously in three seasons of intercollegiate competition after his freshman year in Division I or in more than four seasons of intercollegiate competition in Divisions II and III."

Source: NCAA Council (Division I Steering Committee).

Intent: To permit only three years of eligibility after the freshman year for NCAA championship competition in Division I, as was the case prior to the 1978 NCAA Convention.

Effective Date: August 1, 1979.

Action: Approved by Division I.

NO. 109 SEASONS OF COMPETITION

Bylaws: Amend Article 4, Section 1-(d), page 61, as follows:

[Division I-A football only]

"(d) He must not have engaged in more than four seasons of intercollegiate competition, except that in Division I-A football, he must not have engaged in more than three seasons of intercollegiate competition in the sport of football after his freshman year."

Source: University of Alabama; Duke University; University of Houston; University of Nebraska, Lincoln; University of Oklahoma; University of Southern Mississippi; University of Tennessee, Knoxville; Texas A&M University; Wake Forest University; West Virginia University; University of Wyoming.

Intent: To permit only three years of eligibility in the sport of football after the freshman year in Division I-A football.

Effective Date: August 1, 1979.

Action: Moot due to approval of No. 108.

NO. 110 GRADUATE ELIGIBILITY

Bylaws: Amend Article 4, Section 1-(c), page 61, as follows:

[Divided bylaw, all divisions, divided vote]

"(c) He must, at the time of competition, be registered for at least a minimum full-time program of studies as defined by his institution, which, in any event, shall not be less than 12 semester hours or 12 quarter hours (or a similar minimum academic load as determined by the NCAA Eligibility Committee in an institution which determines registration other than on a traditional semester or quarter hour basis or conducts a cooperative education program; or a minimum full-time graduate program as defined by the institution and approved by the NCAA Eligibility Committee in the event fewer than 12 hours are required); further, if the competition takes place between terms, he must have been so registered in the term immediately preceding the date of competition."

Source: Bradley University; Creighton University; Drake University; Indiana State University, Terre Haute; Southern Illinois University, Carbondale; University of Tulsa; West Texas State University.

Intent: To provide a procedure for NCAA approval of an institutionally defined minimum full-time graduate load, if fewer than 12

hours, for a graduate student with eligibility remaining.

Effective Date: Immediately.

Action: Approved by all divisions as amended by No. 110-1.

NO. 110-1 GRADUATE ELIGIBILITY

Bylaws: Amend proposal No. 110; Bylaw 4-1-(c), as follows:

[Divided bylaw, all divisions, divided vote]

“(c) He must, at the time of competition, be registered for at least a minimum full-time program of studies as defined by his institution, which, in any event, shall not be less than 12 semester hours or 12 quarter hours (or a similar minimum academic load as determined by the NCAA Eligibility Committee in an institution which determines registration other than on a traditional semester or quarter hour basis or conducts a cooperative education program; or a minimum full-time graduate program as defined by the institution and approved by the NCAA Eligibility Committee in the event fewer than 12 hours are required, **but which may be no less than eight hours**); further, if the competition takes place between terms, he must have been so registered in the term immediately preceding the date of competition.”

Source: Pacific-10 Conference.

Action: Approved by all divisions.

NO. 111 HARDSHIP

Bylaws: Amend Article 4, Section 1-(d)-(2)-(ii), page 62, as follows:

[Divided bylaw, all divisions, divided vote]

“(ii) It occurs when he has not participated in more than *two football games, more than six ice hockey matches or more than three contests in any other sport* **20 percent of the institution's completed events in his sport**, provided the injury or illness occurred in the first half of the season and resulted in incapacity to compete for the remainder of the season.”

Source: NCAA Council (Committee on Women's Intercollegiate Athletics, Ivy Group).

Intent: To establish the same time limitation for hardship rulings in all sports and to specify 20 percent of the institution's completed contests in the sport as that limit.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 112 HARDSHIP-JUNIOR COLLEGE

Bylaws: Amend Case No. 256, page 235, relating to Bylaw 4-1-(d)-(2), as follows:

[All divisions, common vote]

“Situation: A junior college student-athlete is injured or becomes ill as a result of his participation in intercollegiate athletics at the junior college. The injury or illness is an incapaci-

tating condition that satisfies the requirements of 'hardship' as defined in Bylaw 4-1-(d)-(2). The student-athlete then transfers to an NCAA member institution.

“Question: Is it permissible for the student-athlete to obtain an additional year of eligibility as a result of his injury or illness incurred at the junior college?

“Answer: **No Yes.**”

Source: University of Arizona; Arizona State University; University of California, Los Angeles; University of Oregon; Oregon State University; University of Southern California; Stanford University; University of Washington; Washington State University.

Intent: To permit a junior college student-athlete who meets the hardship requirements of Bylaw 4-1-(d)-(2) to obtain an additional year of eligibility at an NCAA member institution.

Effective Date: Immediately.

Action: Withdrawn.

NO. 113 HARDSHIP

Bylaws: Amend Article 4, Section 1-(d)-(2)-(ii), page 62, as follows:

[Divided bylaw, all divisions, divided vote]

“(ii) It occurs when he has not participated in more than two football games, more than six ice hockey matches or more than three contests in any other sport, provided the injury or illness occurred in the first half of the season and resulted in incapacity to compete for the remainder of the season. **Any contest or scrimmage with outside competition is countable under these limitations.**”

Source: NCAA Council.

Intent: To conform this legislation to the current interpretation; i.e., scrimmages with outside competition are counted in the contest limitations for hardship rulings.

Effective Date: Immediately.

Action: Approved by Division I, defeated by Division II (43-48) and by Division III (41-74).

NO. 114 INDIVIDUAL ELIGIBILITY

Bylaws: Amend Article 4, Section 1-(e), page 62, as follows:

[Divided bylaw, all divisions, divided vote]

“(e) If his eligibility changes at the end of a quarter or semester, he shall become eligible or ineligible to compete in an NCAA championship at the time his eligibility officially is certified by his institution, which, **in the event he becomes ineligible**, shall not be later than the first day of classes of the following semester or quarter. In any *event case*, if he is eligible to compete at the time of his or his institution's first participation in an NCAA championship, he shall remain eligible for the remainder of the meet or tournament.”

A-105

Source: NCAA Council.

Intent: To differentiate between gaining and losing eligibility between terms by specifying that a student-athlete's ineligibility must be determined not later than the first day of classes of the following semester or quarter, thus providing that a student-athlete who has been ineligible may be certified as eligible later than the first day of classes of the following semester or quarter.

Effective Date: August 1, 1979.

Action: Approved by all divisions.

NO. 115 TRANSFER RULE-WAIVER

Bylaws: Amend Article 4, Section 1-(m)-(8), pages 67-68, as follows:

[Divided bylaw, all divisions, divided vote]

"(m) A transfer student from a four-year collegiate institution shall qualify for a waiver of the residence requirement for NCAA championships as follows:

[Subparagraphs (1) through (7) unchanged.]

"(8) In a particular sport if, subsequent to his initial attendance at a collegiate institution, he transfers to the certifying institution from another four-year college and has neither practiced nor competed in that sport in intercollegiate competition, **or in organized, noncollegiate, amateur competition while enrolled in a collegiate institution**, for a consecutive two-year period immediately prior to his transfer;"

Source: NCAA Council (Pacific-10 Conference).

Intent: To specify that a waiver of the transfer residence requirement may not be granted if the student participated in organized, noncollegiate, amateur competition while enrolled in a collegiate institution.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 116 TRANSFER RULE-WAIVER

Bylaws: Amend Article 4, Section 1-(m)-(8), pages 67-68, as follows:

[Divided bylaw, all divisions, divided vote]

"(m) A transfer student from a four-year collegiate institution shall qualify for a waiver of the residence requirement for NCAA championships as follows:

[Subparagraphs (1) through (7) unchanged.]

"(8) In a particular sport if, subsequent to his initial attendance at a collegiate institution, he transfers to the certifying institution from another four-year college and has neither practiced nor competed in that sport in intercollegiate competition for a consecutive two-year period immediately prior to *his transfer* **the date on which he begins his participation (practice and/or competition) in that sport at the certifying institution.**"

Source: Springfield College; Pratt Institute; Rutgers University, New Brunswick; LeMoyne College; Columbia University; American International College.

Intent: To permit application of this transfer rule waiver in cases where a portion of the consecutive two-year period of nonparticipation may occur after the date on which the student transferred.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 117 TRANSFER RULE-DIVISION III

Bylaws: Amend Article 4, Section 1-(m)-(10)-(iii), page 68, as follows:
[Division III only]

"(iii) The student has transferred from one Division III institution to another Division III institution; or in the case of students transferring from a Division I or Division II institution to a Division III institution, the student has not competed in that sport **in regularly scheduled intercollegiate competition (excluding scrimmages) at the varsity level** at the previous institution. For purposes of this rule, a nonmember institution shall be considered a Division II equivalent unless its financial aid officer certifies that it awards financial aid only on the basis of need, in which case the institution shall be considered a Division III equivalent; and"

Source: Pratt Institute; Trenton State College; Moravian College; State University College, Geneseo; Ithaca College; Connecticut College.

Intent: To permit the application of this Division III transfer rule waiver to a student whose previous exposure to intercollegiate competition in his sport has been limited to the subvarsity level at the Division I or II institution from which he transferred.

Effective Date: Immediately.

Action: Approved by Division III, but subsequently rescinded by the Convention.

Playing Seasons

NO. 118 POSTSEASON FOOTBALL CONTESTS

A. Bylaws: Amend Article 2, Section 2, page 51, as follows:

[Divided bylaw, all divisions, football only, divided vote]

"Section 2. Postseason Football Contests. No member institution shall compete in any football game that is not scheduled as to the identity of a participating collegiate team before the beginning of the regular football season of the college for any academic year, unless the given contest is a part of the NCAA championships for

Division II or Division III members, **international competition approved by the NCAA Council (by a two-thirds majority of its members present and voting)**, a part of the National Association of Intercollegiate Athletics football championships or complies with the following requirements or meets the following conditions:"

B. Bylaws: Amend Article 3, Section 2-(b)-(2), page 57, as follows:

[Divided bylaw, all divisions, football only, divided vote]

"(2) Football—The beginning of the traditional fall season, exclusive of one scrimmage or contest at the conclusion of spring practice, provided that the game be with a team composed of bona fide alumni or students or both, and exclusive of one postseason game approved by the Association's Extra Events Committee or those games played in the National Collegiate Division II and Division III Football Championships, **international competition approved by the NCAA Council (by a two-thirds majority of its members present and voting)** or the National Association of Intercollegiate Athletics football championships."

Source: NCAA Council.

Intent: To establish a procedure by which the Council may approve postseason international competition by a member institution's football team (e.g., proposed contest between NCAA Division III football champion and all-Japan collegiate champion).

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 119 OUT-OF-SEASON PRACTICE—DIVISION III

A. Bylaws: Amend Article 3, Section 1-(a) and (b), page 55, relettering subsequent paragraphs, as follows:

[Division III only]

"Section 1. Limitations on Preseason Practice. (a) A member institution shall not commence preseason practice in the **following** sports of football and basketball prior to the following dates:

"(1) Basketball, **all divisions**—October 15.

"(2) Football, **all divisions**—(i) the 19th day before its first scheduled intercollegiate game, or (ii) the 22nd day before the next-to-last Saturday in September, or (iii) that date which will permit a maximum of 29 'practice opportunities' prior to its first scheduled intercollegiate game.

"(3) Gymnastics, Division III—October 15.

"(4) Ice Hockey, Division III—October 15.

"(5) Lacrosse, Division III—February 15.

"(6) Soccer, Division III—(i) the 19th day before its first scheduled intercollegiate game, or (ii) the 22nd day before the next-to-last Saturday in September, or (iii) that date which will permit a maximum of 29 'practice opportunities' prior to its first scheduled intercollegiate game.

"(7) Volleyball, Division III—February 15.

"(8) Water Polo, Division III—September 1.

"(9) Wrestling, Division III—October 15.

"(b) In each such sport in Division III, it shall not be permissible for the institution to issue equipment except as provided in paragraph (e) of this section.

"(b) (c) In determining the number of 'practice opportunities' in the sport of football, and in the sport of soccer in Division III, Sundays will be excluded from the counting; but otherwise there shall be counted one for each day beginning with the opening of classes, one for each day classes are not in session in the week of the first scheduled intercollegiate game and two for each other day in the preseason practice period."

B. Bylaws: Amend Article 3, Section 4, pages 58-59, by adding new paragraph (c), as follows:

[Division III only]

"(c) Postseason practice in the following sports for members of Division III shall be prohibited: gymnastics, ice hockey, lacrosse, soccer, volleyball, water polo and wrestling."

Source: NCAA Council (Division III Steering Committee).

Intent: To prohibit out-of-season practice and limit preseason practice in the indicated sports at Division III member institutions.

Effective Date: Immediately.

Action: Withdrawn.

NO. 120 PRESEASON FOOTBALL PRACTICE

Bylaws: Amend Article 3, Section 1, page 55, by adding new paragraph (e), as follows:

[Division I-A football only]

"(e) In the sport of football, a Division I-A member may establish an orientation period, to commence four days prior to the start of preseason football practice, for those student-athletes who are entering the institutions for their first term. During the orientation period, practice shall be limited to noncontact drills; and no football gear or protective equipment other than headgear, shoes and porous lightweight jerseys and pants shall be worn by players during practice sessions."

Source: Iowa State University; Kansas State University; Oklahoma State University; University of Colorado; University of Kansas; University of Missouri, Columbia; University of Nebraska, Lincoln; University of Oklahoma; University of Illinois, Champaign; Indiana University; University of Iowa, University of Michigan; Michigan State University; University of Minnesota, Twin Cities; Northwestern University; Ohio State University; Purdue University; University of Wisconsin, Madison.

Intent: To permit student-athletes entering a Division I-A member institution to participate in a four-day football orientation and

noncontact practice period prior to the beginning of preseason football practice.

Effective Date: Immediately.

Action: Approved by Division I-A football, 83-54.

NO. 121 BASKETBALL PLAYING SEASON

Bylaws: Amend Article 3, Section 2-(b)-(1), pages 56-57, as follows:
[Division III only]

"(b) The first contest (game or scrimmage) with outside competition shall not be played prior to the following dates:

"(1) Basketball—The **next-to-last** Friday in November, except as provided in Bylaw 3-2-(e)."

Source: State University of New York, Albany; State University of New York, Binghamton; State University College, Brockport; State University College, Buffalo; State University of New York, Buffalo; State University College, Cortland; State University College, Fredonia; State University College, Geneseo; State University College, Oneonta; State University College, Oswego; State University College, Plattsburgh; State University College, Potsdam.

Intent: To advance the permissible date for the beginning of the basketball playing season in Division III from the last Friday in November to the next-to-last Friday in November.

Effective Date: Immediately.

Action: Approved by Division III.

NO. 122 BASKETBALL PLAYING SEASON

Bylaws: Amend Article 3, Section 2-(c), page 57, as follows:
[Divided bylaw, all divisions, divided vote]

"(c) The last contest (game or scrimmage) in the sport of basketball shall not be played after the National Collegiate Basketball Championship game, **which shall fall each year on the Monday in the March 31 to April 6 time period.**"

Source: University of Arizona; Arizona State University; University of California, Berkeley; University of California, Los Angeles; University of Oregon; Oregon State University; University of Southern California; Stanford University; University of Washington; Washington State University (Collegiate Commissioners Association).

Intent: To extend the permissible basketball playing season by one week.

Effective Date: Immediately; the Executive Committee shall determine the first feasible year that the National Collegiate Basketball Championship game can be scheduled as specified, based on existing commitments for that championship.

Action: Withdrawn.

NO. 122-1 RESOLUTION: BASKETBALL PLAYING SEASON

[All divisions, common vote]

"Whereas, a subcommittee of the NCAA Executive Committee and Division I Basketball Committee currently is conducting negotiations for television rights to future National Collegiate Basketball Championships, and

"Whereas, NCAA member institutions have experienced increasing difficulty in scheduling their regular-season games in the time period allowable;

"Now, Therefore, Be It Resolved, that this Convention request the Executive Committee to instruct the subcommittee in the current negotiations to allow for 10 full weekends of play for the regular basketball season commencing with the first weekend in January, irrespective of any proposed changes in the National Collegiate Basketball Championship format which might alter the playing dates of the championship itself."

Source: Pacific-10 Conference (Collegiate Commissioners Association).

Action: Approved.

NO. 123 BASKETBALL PLAYING SEASON

Bylaws: Amend Article 3, Section 2-(e), page 57, as follows:
[Divided bylaw, all divisions, divided vote]

"(e) One basketball game may be played against a 'club' member of the Amateur Basketball Association of the United States of America, or against a foreign team in the United States, **or at the Basketball Hall of Fame Tip-Off Classic**, after November 1."

Source: NCAA Council (College of William and Mary, University of Connecticut, Springfield College, Temple University, University of Kentucky, University of Notre Dame, University of Houston, Utah State University, University of Arizona).

Intent: To permit member institutions to participate in the Hall of Fame Tip-Off Classic, Springfield, Massachusetts, after November 1.

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 124 BASKETBALL PLAYING SEASON

Bylaws: Amend Article 3, Section 2, pages 56-57, by adding new paragraph (g), as follows:
[Divided bylaw, all divisions, divided vote]

"(g) Member institutions located in the contiguous United States shall be allowed to play basketball games in Alaska or Hawaii, either against or under the sponsorship of the University of Alaska, Anchorage, or the University of Hawaii, after November 1."

Source: University of Alaska, Anchorage; Pennsylvania State University; Southern Methodist University; Louisiana State University; University of Missouri, Columbia; University of Hawaii; University of Louisville; University of Arkansas, Fayetteville; Texas A&M University.

Intent: To permit institutions to play basketball games in Alaska or Hawaii after November 1 under the specified conditions.

Effective Date: Immediately.

Action: Defeated by all divisions.

NO. 125 FOOTBALL PRACTICE—DIVISION III

Bylaws: Amend Article 3, Section 4-(a), page 58, as follows:

[Division III football only]

"Section 4. Limitations on Out-of-Season Practice. (a) Post-season practice in football shall be limited to 20 sessions in a period of 36 calendar days (vacation and examination days excluded) in **Divisions I and II**. *Postseason practice in football for members of Division III shall be prohibited. The Council may, by two-thirds vote of its members present and voting, grant exceptions to this prohibition for members of Division III if it deems that unusual scheduling circumstances warrant such action.* **Postseason practice in Division III shall be limited to 10 sessions in a period of 21 calendar days; and no football gear or protective equipment other than headgear, shoes and porous lightweight jerseys and pants shall be worn by players during those sessions.**"

Source: Bridgewater College, Hampden-Sydney College, Randolph-Macon College, Washington and Lee University, Emory and Henry College, Millsaps College.

Intent: To permit institutions classified Division III in football to conduct spring football practice without pads in the period specified.

Effective Date: Immediately.

Action: Defeated by Division III football.

NO. 126 FOOTBALL PRACTICE—DIVISION III

Bylaws: Amend Article 3, Section 4-(a), page 58, as follows:

[Division III football only]

"Section 4. Limitations on Out-of-Season Practice. (a) Post-season practice in football shall be limited to 20 sessions in a period of 36 calendar days (vacation and examination days excluded). Postseason practice in football for members of Division III shall be prohibited. *The Council may, by two-thirds vote of its members present and voting, grant exceptions to this prohibition for members of Division III if it deems that unusual scheduling circumstances warrant such action.*"

Source: NCAA Council (Division III Steering Committee).

Intent: To eliminate the waiver opportunity which permits a Division III member to conduct spring football practice.

Effective Date: Immediately.

Action: Approved by Division III football, 59-28.

NO. 127 FOREIGN COMPETITION

Bylaws: Amend Article 3, Section 5, pages 59-60, as follows:

[Divided bylaw, all divisions, divided vote]

"Section 5. Foreign Tours and Competition. [Paragraphs (a) and (b) and subparagraphs (1) through (6) unchanged.]

"(c) A member institution may play one or more of its permissible contests in the sports of football and basketball in a foreign country during the prescribed playing season. However, except for contests played in Canada and Mexico or foreign tours approved under the preceding paragraphs of this section, the institution may not engage in such foreign competition more than once every four years in each sport."

Source: NCAA Council.

Intent: To limit regular-season football and basketball contests played in foreign countries which are not contiguous to the continental United States to the same once-in-four-years provision applied to foreign tours in those sports.

Effective Date: August 1, 1979.

Action: Approved by all divisions as amended by No. 127-1.

NO. 127-1 FOREIGN COMPETITION

Bylaws: Amend proposal No. 127; Bylaw 3-5-(c), as follows:

[Divided bylaw, all divisions, divided vote]

"(c) A member institution may play one or more of its permissible contests in the sports of football and basketball in a one or more foreign country countries on one trip during the prescribed playing season. However, except for contests played in Canada and Mexico or foreign tours approved under the preceding paragraphs of this section, the institution may not engage in such foreign competition more than once every four years in each sport."

Source: NCAA Council.

Action: Approved by all divisions.

Personnel Limitations

NO. 128 FOOTBALL COACHING STAFF

Bylaws: Amend Article 6, Section 1, pages 79-80, by adding new paragraph (a), relettering subsequent paragraphs, as follows:

[Division I-A football only]

"(a) Division I-A Football—One head coach, nine assistant coaches and two graduate assistants. A graduate assistant shall be a bona fide student with an undergraduate

degree who carries a minimum 50 per cent full-time academic program and who receives no compensation in excess of a full grant-in-aid at the institution. A graduate assistant may not recruit or scout off campus."

Source: Clemson University; University of Houston; Iowa State University; University of Kansas; University of Maryland, College Park; University of Miami (Florida); Mississippi State University; University of South Carolina; Texas Tech University; San Diego State University; University of Utah.

Intent: To increase the number of assistant coaches in Division I-A football from eight to nine; to eliminate the two permissible part-time coaches, and to permit two graduate assistants as defined. [Note: The current Bylaw 6-1-(a) would be revised editorially to apply to Division I-AA football.]

Effective Date: August 1, 1979.

Action: Defeated by Division I-A football, 52-83.

NO. 129 COACHING LIMITATIONS-RECRUITING

A. Bylaws: Amend Article 6, Section 1-(e), page 79, as follows:

[Divided bylaw, Divisions I-A and I-AA football only, divided vote]

"(e) Any head coach **or** assistant coach *or part-time assistant coach in the sport of football* as specified in the paragraphs above may recruit or scout off campus."

B. Bylaws: Amend Article 6, Section 1-(e), page 79, as follows:

[Division I only]

"(e) Any head coach **or** assistant coach *or part-time assistant coach in the sport of basketball* as specified in the paragraphs above may recruit or scout off campus."

Source: NCAA Council (Division I Steering Committee).

Intent: To specify that only head coaches and full-time assistant coaches shall be permitted to recruit or scout off campus.

Effective Date: August 1, 1979.

Action: Part A defeated by Divisions I-A and I-AA football. Part B defeated by Division I.

NO. 130 COACHING STAFFS-ADDITIONAL TEAMS

Bylaws: Amend Article 6, Section 1, pages 79-80, by deleting paragraph (g), relettering subsequent paragraphs, as follows:

[Divided bylaw, Divisions I-A and I-AA football only, divided vote]

"(g) If a member institution sponsors more than one intercollegiate football team, that member institution may employ or otherwise utilize two additional part-time coaches in the sport of football. Coaches employed or otherwise utilized for the purposes of this paragraph are prohibited from off-campus recruiting. Such additional teams must participate in four or more intercollegiate contests."

Source: NCAA Council (Division I Steering Committee).

Intent: To eliminate the practice of employing two additional part-time football coaches in Division I institutions which sponsor more than one football team. [Note: If proposal No. 108 is adopted, this amendment will be withdrawn.]

Effective Date: August 1, 1979.

Action: Withdrawn.

NO. 131 COACHING STAFFS-ADDITIONAL TEAMS

Bylaws: Amend Article 6, Section 1-(g), page 80, as follows:

[Divided bylaw, Divisions I-A and I-AA football only, divided vote]

"(g) If a member institution sponsors more than one intercollegiate football team, that member institution may employ or otherwise utilize two additional part-time coaches in the sport of football **for each such additional team**. Coaches employed or otherwise utilized for the purposes of this paragraph are prohibited from off-campus recruiting. Such additional teams must participate in four or more intercollegiate contests."

Source: Brown University, Columbia University, Cornell University, Dartmouth College, Harvard University, Princeton University, University of Pennsylvania, Yale University.

Intent: To allow two additional part-time coaches for each additional football team, rather than two for all additional teams.

Effective Date: Immediately.

Action: Defeated by Divisions I-A and I-AA football.

NO. 132 SCOUTING LIMITATIONS

Bylaws: Amend Article 6, Section 2, page 80, as follows:

[Division I only]

"Section 2. Limitations on Scouting. A Division I member institution shall not pay or permit the payment of expenses incurred by its athletic department staff members or representatives, including professional scouting services, to scout its opponents or individuals who represent its opponents in any **game or practice (regular season or out of season)** in any sport except football and basketball, where it shall be permissible for the institution to pay expenses of one person to scout each opponent on one occasion. It shall be permissible to pay the costs of exchanging films for scouting purposes in any sport."

Source: Clemson University; Duke University; Georgia Institute of Technology; North Carolina State University; University of Maryland, College Park; University of North Carolina, Chapel Hill; University of Virginia; Wake Forest University.

Intent: To prohibit in-person scouting, regardless of the payment of expenses, of an opponent's team or individual performers in all sports except basketball, including regular-season games and practices as well as out-of-season practice, and to eliminate the one-person restriction in basketball scouting.

Effective Date: Immediately.

Action: Defeated by Division I, 83-118.

NO. 133 RESOLUTION: TITLE IX

[All divisions, common vote]

"Whereas, this Association and its member institutions are committed to the development and maintenance of quality intercollegiate sports programs for student-athletes;

"Whereas, responding to increased interest in competitive athletics on the part of their female students, this Association's member institutions in recent years have made massive new allocations of resources to their women's intercollegiate programs, on the average more than doubling the number of sports and participants;

"Whereas, Section 844 of the Education Amendments of 1974 (the "Javits Amendment") requires HEW regulations implementing the Title IX prohibition against sex discrimination in education programs which are federally assisted to include with respect to intercollegiate athletic activities "reasonable provisions considering the nature of particular sports";

"Whereas, this Association is presently seeking a judicial determination that as a matter of law, HEW does not have regulatory authority over intercollegiate sports programs which are not federally assisted;

"Whereas, on December 6, 1978, HEW issued for public comment a proposed policy interpretation of the athletics provisions of its regulation under Title IX of the Education Amendments of 1972;

"Whereas, the proposed policy interpretation would impose on intercollegiate athletic programs a per capita expenditure test of compliance: (i) that fails adequately to include "reasonable provisions considering the nature of particular sports," (ii) that unnecessarily intrudes upon the autonomy of institutions of higher education to manage their own affairs and (iii) that is not required by or consistent with the HEW Title IX regulation;

"Now, Therefore, *Be It Resolved*, that the Association in behalf of its members:

"1. shall seek the adoption of a policy interpretation which, consistent with the Javits Amendment, fully recognizes different levels of interest in and support of particular sports on the part of each institution's student body, alumni and the general public as nondiscriminatory differences among sports which each institution shall be free to take into account in making expenditures and taking other actions affecting its intercollegiate sports program;

"2. shall underscore the fact that whereas precise Federal per capita expenditure requirements may be an acceptable administrative guideline for internal institutional sports and recreational programs, subject solely to institutional influence, such arbitrary compliance standards are unrealistic and unworkable in intercollegiate activities where institutional policy is clearly influenced by historic rivalries, regional traditions and alumni and general public expectations;

"3. shall oppose any HEW standard or administrative enforcement method which would require HEW to monitor and dictate in detail the financial operations of the nation's colleges and universities with respect to athletics;

"4. shall oppose HEW attempts to dictate uniform federal program goals and standards for the diversified membership of this Association, and

"5. shall oppose open-ended provisions in the proposed policy which potentially create excessive and unreasonable financial obligations unrelated to the achievement of equality of opportunity."

Source: NCAA Council.

Action: Approved.

NO. 134 RESOLUTION: RIFLE CHAMPIONSHIPS

[All divisions, common vote]

"*Be It Resolved*, that the NCAA Executive Committee be authorized to establish a pilot program of National Collegiate Rifle Championships in the 1979-80 academic year, with eligibility for participation in that pilot championship based upon the varsity intercollegiate sport definition of Executive Regulation 2-4-(c) and the provisions of Bylaw 8-6-(b), in addition to all other pertinent Association legislation."

Source: NCAA Council.

Action: Approved.

Appendix B

73rd Annual Convention

Nominating Committee

Chairman—John L. Toner

District 1—John L. Toner, University of Connecticut
District 2—Frederick E. Gruninger, Rutgers Univ., New Brunswick
District 3—Charley Scott, University of Alabama
District 4—Joseph L. Kearney, Michigan State University
District 5—James Frank, Lincoln University (Missouri)
District 6—Edwin P. Horner, Baylor University
District 7—Joseph R. Geraud, University of Wyoming
District 8—John Caine, University of Oregon
At-Large—Richard G. Shrider, Miami University (Ohio)
At-Large—Donald M. Russell, Wesleyan University
At-Large—James E. Hawkins, Fort Valley State College
At-Large—Clarence E. Gaines, Winston-Salem State University

Committee on Committees

Chairman—George S. King Jr.

District 1—Harold S. Westerman, University of Maine, Orono
District 2—John M. Tulley, Elizabethtown College
District 3—Howard Davis, Tuskegee Institute
District 4—Joseph T. Hoy, Western Michigan University
District 5—Bernard F. Cooper, University of South Dakota
District 6—Marvin Tate, Texas A&M University
District 7—Lavon McDonald, University of New Mexico
District 8—E. John Larsen, University of Southern California
At-Large—Gordon M. Brewer, Hope College
At-Large—Harry Pure, Philadelphia College of Textiles & Science
At-Large—F. Paul Bogan, Westfield State College
At-Large—George S. King Jr., Purdue University

Committee on Voting

Chairman—Brig. Gen. Philip J. Erdle

District 1—William A. Gillis, Salem State College
District 2—Daniel T. Mullin, State Univ. of New York, Geneseo
District 3—Robert E. Stewart, Troy State University
District 4—C. D. Henry, Big Ten Conference
District 5—James R. Doyle, Creighton University
District 6—John W. Hook, Pan American University
District 7—Milton C. Mecham, Weber State College
District 8—J. Michael Bossert, California State Univ., Sacramento
At-Large—Frank Windegger, Texas Christian University
At-Large—Brig. Gen. Philip J. Erdle, U.S. Air Force Academy

Committee on Memorial Resolutions

Chairman—Jack C. Patterson

Earl C. Banks, Morgan State University

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Arthur C. Nicolai, Nebraska Wesleyan University
Jack C. Patterson, Baylor University

Committee on Credentials

Chairman—T. H. Anderson

Paul V. Amodio, Youngstown State University
T. H. Anderson, University of Northern Arizona
John V. Glinski, State University of New York, Oswego

Parliamentarian

Alan J. Chapman, Rice University

Chairman of Business Sessions

J. Neils Thompson, University of Texas, Austin

Chairman of General Round Table

Edgar A. Sherman, Muskingum College

1980 Convention

Hyatt Regency, New Orleans, Louisiana, January 8-10

Appendix C

NCAA Convention Sites, 1944-1979

	(Hotels in parentheses.)
38th	1944 New York City (Biltmore)
39th	1945 Columbus, Ohio (Deshler-Wallick)
40th	1946 St. Louis (Jefferson)
41st	1947 New York City (New Yorker)
42nd	1948 New York City (New Yorker)
43rd	1949 San Francisco (Saint Francis)
44th	1950 New York City (Commodore)
45th	1951 Dallas (Adolphus)
46th	1952 Cincinnati (Netherland Plaza)
47th	1953 Washington (Mayflower)
48th	1954 Cincinnati (Netherland Plaza)
49th	1955 New York City (New Yorker)
50th	1956 Los Angeles (Statler Hilton)
51st	1957 St. Louis (Jefferson)
52nd	1958 Philadelphia (Bellvue Stratford)
53rd	1959 Cincinnati (Netherland Hilton)
54th	1960 New York City (Astor)
55th	1961 Pittsburgh (Penn Sheraton)
56th	1962 Chicago (Conrad Hilton)
57th	1963 Los Angeles (Statler Hilton)
58th	1964 New York City (Commodore)
59th	1965 Chicago (Conrad Hilton)
60th	1966 Washington (Sheraton Park)
61st	1967 Houston (Sheraton Lincoln)
62nd	1968 New York City (Biltmore)
63rd	1969 Los Angeles (Hilton)
64th	1970 Washington (Statler Hilton)
65th	1971 Houston (Astroworld)
66th	1972 Hollywood, Florida (Diplomat)
67th	1973 Chicago (Palmer House)
1st Special	1973 Chicago (Regency Hyatt House)
68th	1974 San Francisco (St. Francis)
69th	1975 Washington (Sheraton-Park)
2nd Special	1975 Chicago (Palmer House)
3rd Special	1976 St. Louis (Stouffer's Riverfront Inn)
70th	1976 St. Louis (Stouffer's Riverfront Inn)
71st	1977 Miami Beach (Fontainebleau)
72nd	1978 Atlanta (Peachtree Plaza)
73rd	1979 San Francisco (St. Francis)

NOTE: Prior to 1944, the annual Convention was held in December. No meeting was held in 1943, and commencing with 1944 the Convention has been held in January. The 1st and 2nd special Conventions were held in August. The 3rd special Convention was held immediately prior to the 70th Convention in January.

Appendix D

Past and Present Officers of the NCAA

President

1906-1913	Capt. Palmer E. Pierce, U. S. Military Academy
1914-1916	LeBaron R. Briggs, Harvard University
1917-1929	Brig. Gen. Palmer E. Pierce, U. S. Military Academy
1930-1932	Charles W. Kennedy, Princeton University
1933-1937	Maj. John L. Griffith, Intercollegiate Conference
1938-1940	William B. Owens, Stanford University
1941-1944	Phillip O. Badger, New York University
1945-1946	Wilbur C. Smith, Tulane University, University of Wyoming
1947-1949	Karl E. Leib, University of Iowa
1950-1952	Hugh C. Willett, University of Southern California
1953-1954	Albert B. Moore, University of Alabama
1955-1956	Clarence P. Houston, Tufts College
1957-1958	Frank N. Gardner, Drake University
1959-1960	Herbert J. Dorricott, Western State College (Colorado)
1961-1962	Henry B. Hardt, Texas Christian University
1963-1964	Robert F. Ray, University of Iowa
1965-1966	Everett D. Barnes, Colgate University
1967-1968	Marcus L. Plant, University of Michigan
1969-1970	Harry M. Cross, University of Washington
1971-1972	Earl M. Ramer, University of Tennessee
1973-1974	Alan J. Chapman, Rice University
1975-1976	John A. Fuzak, Michigan State University
1977-1978	J. Neils Thompson, University of Texas, Austin
1979-	William J. Flynn, Boston College

Secretary-Treasurer

*1906-1908	Louis A. Bevier, Jr., Rutgers University
*1908	William A. Lambeth, University of Virginia
1909-1939	Frank W. Nicolson, Wesleyan University
1940-1944	Maj. John L. Griffith, Intercollegiate Conference
1945-1951	Kenneth L. Wilson, Intercollegiate Conference
1952-1954	Earl S. Fullbrook, University of Nebraska
1955-1956	Ralph W. Aigler, University of Michigan
1957-1958	Edwin D. Mouzon, Jr., Southern Methodist University
1959-1960	Gen. Percy L. Sadler, Lehigh University
1961-1962	Rev. Wilfred H. Crowley, Santa Clara University
1963-1964	Everett D. Barnes, Colgate University
1965-1966	Francis E. Smiley, Colorado School of Mines
1967-1968	Ernest B. McCoy, Pennsylvania State University
1969-1970	William J. Flynn, Boston College
1971-1972	Samuel E. Barnes, Howard University, District of Columbia Teachers College
1973-1974	Richard P. Koenig, Valparaiso University
1975-1976	Stanley J. Marshall, South Dakota State University
1977-1978	Edgar A. Sherman, Muskingum College
1979-	James Frank, Lincoln University (Missouri)

*Bevier served as secretary, Lambeth as treasurer, in 1908.

